













NEW SOUTH WALES.

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VOTES

AND

PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL,

DURING THE

SESSION OF THE YEAR

1849.

WITH THE VARIOUS DOCUMENTS CONNECTED THEREWITH.

IN TWO VOLUMES,

VOL. I.

Sydney :

PRINTED BY W. W. DAVIES, AT THE GOVERNMENT PRINTING OFFICE,
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1849.



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SELECT COMMITTEES

APPOINTED DURING THE SESSION OF 1849.

REPLY TO GOVERNOR'S OPENING SPEECH.

THE COLONIAL SECRETARY, MR. COWPER, MR. LOWE, MR. ALLEN,	} .	Appointed 17th May, 1849.	{	MR. DONALDSON, MR. MACINTYRE, MR. J. MACARTHUR.
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STANDING ORDERS.

THE SPEAKER, THE ATTORNEY GENERAL, MR. COWPER, MR. PARKER,	} .	Appointed 17th May, 1849.	{	MR. J. MACARTHUR, MR. LOWE, MR. DONALDSON,* THE COLONIAL SECRETARY.
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Brought up their Report, 29th May, and re-appointed for the Session, 6th June, 1849.
 * Restored 19th July, 1849, after re-election.

SYDNEY CORPORATION.

MR. J. MACARTHUR, MR. COWPER, THE COLONIAL SECRETARY, MR. LOWE,	} .	Appointed 22nd May, 1849.	{	MR. LAMB, MR. WENTWORTH, THE SPEAKER, MR. MARTIN.
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QUALIFICATION QUESTION.

MR. BOWMAN, MR. COWPER, MR. LOWE, MR. MACKINNON,	} .	Appointed 31st May, 1849.	{	MR. WENTWORTH, MR. MURRAY, MR. LAMB.
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SYDNEY RAILWAY BILL.

THE ATTORNEY GENERAL, THE COLONIAL SECRETARY, MR. J. MACARTHUR, MR. MURRAY,	} .	Appointed 5th June, 1849.	{	THE SPEAKER, MR. LAMB, MR. SUTTOR, MR. COWPER.
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Reported on the Bill, 11th July, and re-appointed 18th July, 1849, to consider Earl Grey's Despatch of 5th February, 1849.

DARLINGHURST GAOL.

MR. COWPER, THE SPEAKER, THE ATTORNEY GENERAL, MR. LOWE, MR. ALLEN,	} .	Appointed 6th June, 1849.	{	MR. W. MACARTHUR, MR. BOWMAN, MR. NICHOLS, MR. MACKINNON.
---	-----	------------------------------	---	--

ESSAYS ON CATARRH IN SHEEP.

MR. MURRAY,† THE SPEAKER, MR. COWPER,	} .	Appointed 6th June, 1849.	{	MR. WENTWORTH, MR. J. MACARTHUR.
---	-----	------------------------------	---	-------------------------------------

LIBRARY.

THE SPEAKER, MR. COWPER, THE COLONIAL SECRETARY, THE ATTORNEY GENERAL,	} .	Appointed 6th June, 1849.	{	MR. PARKER, MR. LOWE, MR. J. MACARTHUR.
---	-----	------------------------------	---	---

CROWN LANDS.

MR. LOWE, THE SPEAKER, MR. MACKINNON,* THE COLONIAL SECRETARY, MR. FOSTER,†	} .	Appointed 12th June, 1849.	{	MR. COWPER, MR. J. MACARTHUR, MR. HAMILTON, MR. WENTWORTH.
---	-----	-------------------------------	---	---

* Restored 7th September, 1849, after re-election.
 † Added 21th July, 1849.

DRY DOCK.

THE COLONIAL SECRETARY,
THE SPEAKER,
THE COLONIAL TREASURER,
MR. LAMB,

} Appointed
13th June, 1849. }

THE COLLECTOR OF CUSTOMS,
MR. MURRAY,
MR. W. MACARTHUR.

GAS COMPANY'S BILL.

MR. DARVALL,
MR. LAMB,
MR. BOWMAN,

} Appointed
29th June, 1849. }

THE ATTORNEY GENERAL,
MR. FOSTER.

ABORIGINES AND PROTECTORATE.

MR. FOSTER,
DR. DICKSON,
MR. W. MACARTHUR,
MR. MOOR,*

} Appointed
29th June, 1849. }

MR. HAMILTON,
MR. SUTTOR,
MR. COWPER.

* Added 3rd August, 1849.

NEWCASTLE BREAKWATER.

MR. MACINTYRE,
THE COLONIAL SECRETARY,
COLONEL SNODGRASS,
MR. HAMILTON,

} Appointed
3rd July, 1849. }

MR. WENTWORTH,
MR. DANGAR,
MR. NICHOLS,
DR. DICKSON.

REAL PROPERTY LAW BILL.

MR. LOWE,
THE ATTORNEY GENERAL,
MR. DARVALL,

} Appointed
10th July, 1849. }

MR. WENTWORTH,
MR. HAMILTON,
MR. NICHOLS.

YASS SCHOOL LANDS BILL.

MR. COWPER,
THE AUDITOR GENERAL,
MR. MURRAY,

} Appointed
13th July, 1849. }

MR. HAMILTON,
THE ATTORNEY GENERAL.

LIGHT HOUSES IN BASS'S STRAITS.

MR. WENTWORTH,
THE ATTORNEY GENERAL,
MR. COOPER,
THE AUDITOR GENERAL,

} Appointed
13th July, 1849. }

MR. LAMB,
MR. COWPER,
MR. DONALDSON.

MEDICAL PROFESSION BILL.

DR. DICKSON,
MR. COOPER,
THE ATTORNEY GENERAL,
MR. BERRY,

} Appointed
24th July, 1849. }

MR. WENTWORTH,
MR. NICHOLS,
MR. ALLEN.

MR. DEAS THOMSON'S MARRIAGE SETTLEMENT BILL.

MR. DARVALL,
THE ATTORNEY GENERAL,
MR. W. MACARTHUR,

} Appointed
27th July, 1849. }

MR. FOSTER,
MR. COWPER.

PAYMENT OF WAGES IN WINE.

MR. J. MACARTHUR,
MR. DONALDSON,
MR. LOWE,
MR. NICHOLS,

} Appointed
3rd August, 1849. }

MR. HAMILTON,
MR. COWPER,
THE COLONIAL TREASURER.

CATARRH IN SHEEP LAWS.

MR. DONALDSON,
MR. HAMILTON,
MR. FOSTER,

} Appointed
3rd August, 1849. }

MR. MACINTYRE,
MR. J. MACARTHUR,
MR. COWPER.

POSTAGE BILL.

THE COLONIAL SECRETARY,
THE AUDITOR GENERAL,
MR. DONALDSON,
MR. LAMB,
MR. MOOR,

} Appointed
9th August, 1849. }

MR. COWPER,
MR. HAMILTON,
MR. W. MACARTHUR,
MR. COOPER.

SYDNEY UNIVERSITY.

MR. WENTWORTH,
MR. LOWE,
THE SPEAKER,
THE COLONIAL SECRETARY,

} Appointed
8th September, 1849. }

MR. J. MACARTHUR,
THE ATTORNEY GENERAL,
MR. COWPER,
MR. NICHOLS.

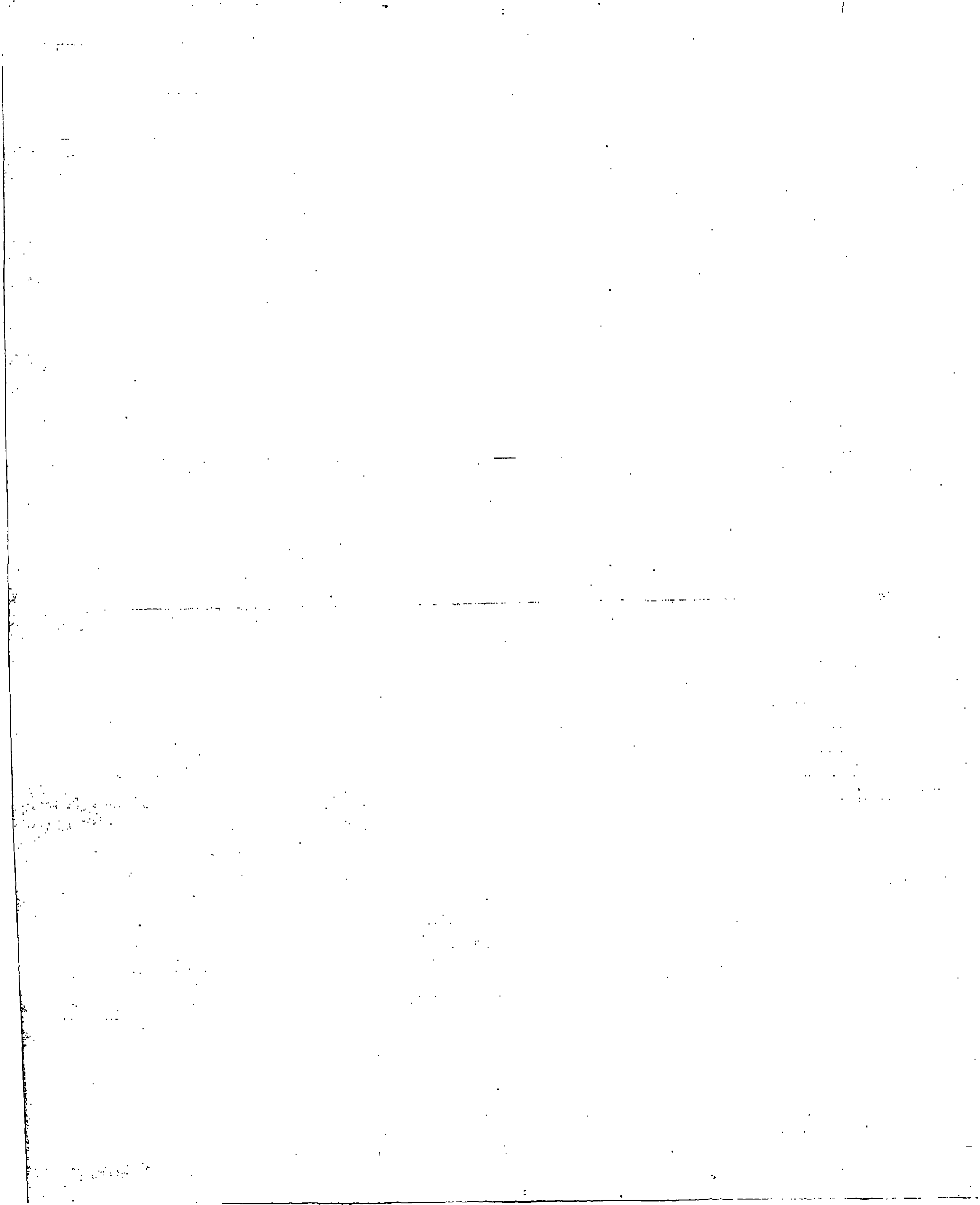


SUMMARY OF PROCEEDINGS ON BILLS DURING THE SESSION OF 1849.

SHORT TITLES OF BILLS.	HOW AND WHEN INITIATED.	PROGRESS.										REMARKS.	
		First Reading.	Second Reading.	Committee.	Report.	Amendments proposed by the Governor.	Re-committee.	Report after Re-committee.	Final.	Assent.	Publication in Government Gazette.		
Gunpowder Exportation Bill	By Message	30 May	6 June	6 June	6 June				13 June	12 July	20 July		
Hawkers' and Pedlars' Bill	By Message	22 May	6 June	13 June	13 June		13 Sep.	13 Sep.	20 Sep.	9 Oct.	23 Oct.		
Aboriginal Natives' Evidence Bill	By Message	22 May	6 June									Negatived on motion for second reading, 37th June, 1849.	
Lunatics' Bill	By Message	22 May	30 May	6 June	6 June	7 June			13 June	12 July	20 July		
Courts of Requests and Petty Sessions Auction Bill	By Message	22 May	30 May	5 July	5 July	5 July			12 July	27 July	31 July		
Party Processions Bill	By Message	22 May	30 May	5 June	13 June	13 June			21 June	20 July	24 July		
City Magistrates' Bill	By Mr. Nichols	22 May	22 May	29 May	29 May	1 June			8 June	12 July	20 July		
Administration of Criminal Law Bill	By Attorney General	23 May	23 May	6 June	6 June	7 June		21 June	21 June	27 June	24 July		
Administration of Criminal Justice Bill	By Attorney General	23 May	23 May	7 June	7 June	13 June		21 June	21 June	27 June	24 July		
Works of Art Bill	By Mr. Nichols	29 May	29 May	5 June	5 June	5 June			12 June	12 July	20 July		
Sydney Railway Bill	By Mr. Cowper	29 May	1 June	28 Aug.	4 Sep.	4 Sep.	5 Oct.	9 Oct.	9 Oct.	7 Sep.	10 Oct.	23 Oct.	Referred to a Select Committee, 5th June, 1849.
Coach Drivers' Punishment Bill	By Mr. Nichols	1 June	1 June	8 June	8 June	8 June			10 June	12 July	20 July		
Moroton Bay Bill	By Message	5 June	13 June	21 June	21 June	21 June			28 June	20 July	24 July		
Yass School Lands Bill	By Mr. Murray	8 June	10 July	10 Aug.	10 Aug.	10 Aug.			14 Aug.	5 Sep.	11 Sep.	Referred to a Select Committee, 13th July, 1849.	
Merchant Seamen's Bill	By Mr. Nichols	12 June	12 June	20 June	20 June	21 Aug.			4 Sep.	2 Oct.	12 Oct.		
Borax and Saltpetre Bill	By Message	13 June	21 June	28 June	28 June	28 June			5 July	23 July	27 July		
Gas Company's Bill	By Mr. Darvall	13 June	26 June	14 Aug.	14 Aug.	14 Aug.			17 Aug.	5 Sep.	11 Sep.	Referred to a Select Committee, 29th June, 1849.	
Publicans' Bill	By Attorney General	14 June	14 June	12 July	12 July	29 Aug.	6 Sep.	6 Sep.	20 Sep.	20 Sep.	21 Sep.	2 Oct.	16 Oct.
Cattle Slaughtering Bill	By Mr. Dangar	14 June	14 June	3 July	10 July								Lapsed in Committee of the whole Council, 10th July, 1849.
Trust Money Bill	By Mr. Darvall	19 June	19 June	26 June	17 July	27 July				14 Aug.	5 Sep.	11 Sep.	
Police Disfranchising Bill	By Mr. Nichols	19 June	19 June										Discharged from the Paper, 3rd July, 1849.
Colonial Agent Bill	By Mr. Wentworth	19 June	19 June	26 June	26 June	13 July			21 July	3 Aug.	10 Aug.		
St. Philip's School Ground Bill	By Message	19 June	27 June	11 July	11 July	25 July			2 Aug.	21 Aug.	21 Aug.		
Law of Evidence Bill	By Mr. Nichols	21 June	21 June	29 June	3 July	13 July		20 July	21 July	27 July	7 Aug.	10 Aug.	
False Declarations Bill	By Mr. Lowe	22 June	22 June	29 June	29 June	29 June		3 July	3 July	4 July	12 July	20 July	
Real Property Alienation Bill	By Mr. Darvall	26 June											Lapsed in the House, 26th June, 1849.
Spirits Duties Protection Bill	By Message	28 June	4 July	5 July	5 Sep.	5 Sep.			12 Sep.	12 Sep.	19 Sep.	27 Sep.	9 Oct.
Distillation Bill	By Message	28 June	4 July	5 July	5 July	6 Sep.		12 Sep.	12 Sep.	19 Sep.	27 Sep.	9 Oct.	
Real Property Law Bill	By Mr. Lowe	28 June	3 July										Referred to a Select Committee, 16th July, 1849, and lapsed.
Fawbrokers' Bill	By Mr. Nichols	29 June	17 Aug.	4 Sep.	4 Sep.	11 Sep.	5 Oct.	9 Oct.	9 Oct.	14 Sep.	10 Oct.	30 Oct.	
Melbourne City Bill	By Mr. W. Macarthur	29 June	29 June	6 July	6 July	17 July				20 July	3 Aug.	10 Aug.	
Fraudulent Debtors' Bill	By Mr. Fitzgerald	29 June	4 July	17 July	17 July	17 July				24 July	27 July	27 July	
Medical Profession Bill	By Dr. Dickson	3 July	4 July										Referred to a Select Committee, 24th July, 1849, and lapsed.
Presbyterian Marriage Bill	By Mr. Foster	3 July	20 July	31 July	3 Aug.								To be further considered in Committee this day six months; 10th August, 1849.
Mr. Deas Thomson's Marriage Settlement Bill	By Mr. Darvall	17 July	27 July	28 Aug.	28 Aug.	28 Aug.				4 Sep.	24 Sep.	28 Sep.	Referred to a Select Committee, 27th July, 1849.
Public Hospitals Bill	By Mr. Foster	17 July	20 July	27 July	27 July	31 July				7 Aug.	5 Sep.	11 Sep.	
Deodands Abolition Bill	By Mr. Nichols	20 July	24 July	27 July	27 July	27 July				31 July	31 Aug.	24 Aug.	
Marriage Registration Bill	By Message	20 July	25 July	8 Aug.	8 Aug.	8 Aug.							Lapsed in the House, 8th August, 1849.
Section 70, of Sydney and Melbourne Corporation Acts suspension Bill	By Message	20 July	25 July	8 Aug.	8 Aug.	8 Aug.				15 Aug.	5 Sep.	11 Sep.	
Standard Weights and Measures Bill	By Message	25 July	1 Aug.	8 Aug.	8 Aug.	15 Aug.		29 Aug.	29 Aug.	5 Sep.	24 Sep.	28 Sep.	
British Gin Bill	By Message	25 July	1 Aug.										Negatived on motion for second reading, 9th August, 1849.
Postage Bill	By Message	27 July	2 Aug.	9 Aug.	26 Sep.	26 Sep.				3 Oct.	12 Oct.	30 Oct.	Referred to a Select Committee, 9th August, 1849.
Infant Criminals Education Bill	By Mr. Nichols	3 Aug.	10 Aug.	14 Aug.	14 Aug.	17 Aug.		21 Aug.	21 Aug.	21 Aug.	5 Sep.	11 Sep.	
Melbourne Building Bill	By Mr. Moor	3 Aug.	10 Aug.	28 Aug.	4 Sep.	11 Sep.				25 Sep.	12 Oct.	6 Nov.	
Geelong Incorporation Bill	By Dr. Dickson	7 Aug.	14 Aug.	18 Sep.	20 Sep.	25 Sep.				28 Sep.	12 Oct.	6 Nov.	
Fraud in Manufactures Prevention Bill	By Mr. Nichols	7 Aug.	10 Aug.	14 Aug.	14 Aug.	14 Aug.				17 Aug.	5 Sep.	11 Sep.	
Parish Roads Bill	By Mr. Cowper	21 Aug.	24 Aug.	14 Sep.	21 Sep.								To be further considered in Committee this day six months; 25th September, 1849.
Gunpowder Keeping Bill	By Collector of Customs	22 Aug.	23 Aug.	29 Aug.	29 Aug.	29 Aug.				5 Sep.	24 Sep.	28 Sep.	
Summary Convictions Bill	By Mr. Martin	28 Aug.	30 Aug.	11 Sep.	21 Sep.								Discharged from the Paper, 9th October, 1849.
Cumberland County Roads Bill	By Message	30 Aug.	5 Sep.	12 Sep.	20 Sep.	4 Oct.		9 Oct.	9 Oct.	10 Oct.	12 Oct.	9 Nov.	
Indictable Offences Bill	By Mr. Nichols	4 Sep.	7 Sep.										Lapsed in the House, 7th September, 1849.
Slaughter Houses Bill	By Message	5 Sep.	12 Sep.	19 Sep.	27 Sep.	9 Oct.				11 Oct.	12 Oct.	9 Nov.	
Departing Vessels Bill	By Message	6 Sep.	12 Sep.	13 Sep.	13 Sep.	13 Sep.				20 Sep.	3 Oct.	23 Oct.	
Quarantine Bill	By Message	11 Sep.	13 Sep.	19 Sep.	19 Sep.	19 Sep.				26 Sep.	9 Oct.	23 Oct.	
Police Reward Fund Bill	By Message	11 Sep.	13 Sep.	19 Sep.	19 Sep.	19 Sep.				26 Sep.	9 Oct.	23 Oct.	
Equity Process Bill	By Mr. Nichols	11 Sep.	12 Sep.	18 Sep.	21 Sep.	21 Sep.				25 Sep.	9 Oct.	23 Oct.	
Law of Dower Bill	By Mr. Wentworth	14 Sep.	18 Sep.										Lapsed in the House, 18th September, 1849.
Scab and Catarrh in Sheep Bill	By Mr. Donaldson	14 Sep.	2 Oct.										Discharged from the Paper, 5th October, 1849.
Common Law Process Bill	By Mr. Nichols	14 Sep.	18 Sep.	21 Sep.	25 Sep.	25 Sep.				28 Sep.	9 Oct.	23 Oct.	
Bounty Immigrants Bill	By Mr. Mackinnon	18 Sep.	19 Sep.										Negatived on motion for second reading, 25th September, 1849.
Customs Bill	By Collector of Customs	18 Sep.	19 Sep.	26 Sep.	26 Sep.	26 Sep.				3 Oct.	12 Oct.	9 Nov.	
Intestates' Estates Claims Bill	By Message	19 Sep.	26 Sep.	27 Sep.	27 Sep.	27 Sep.				3 Oct.	12 Oct.	9 Nov.	
Registrar General's Office Abolition Bill	By Message	19 Sep.	26 Sep.	27 Sep.	27 Sep.	3 Oct.				5 Oct.	12 Oct.	9 Nov.	
Appropriation Bill	By Colonial Treasurer	19 Sep.	19 Sep.	26 Sep.	26 Sep.	26 Sep.				27 Sep.	9 Oct.	23 Oct.	
Vagrancy Bill	By Mr. Nichols	21 Sep.	26 Sep.	2 Oct.	2 Oct.	9 Oct.				11 Oct.	12 Oct.	9 Nov.	
Melbourne Streets and Alleys Bill	By Mr. Moor	21 Sep.	25 Sep.										Discharged from the Paper, 28th September, 1849.
Electoral Lists Bill	By Message	26 Sep.	27 Sep.										Discharged from the Paper, 4th October, 1849.
Sydney University Bill	By Mr. Wentworth	28 Sep.	3 Oct.	4 Oct.	4 Oct.								Lapsed in Committee of the whole Council, 5th October, 1849.
Distress for Rent Bill	By Mr. Nichols	2 Oct.	3 Oct.										Lapsed in the House, 3rd October, 1849.
Sydney Corporation Bill	By Message	3 Oct.											Lapsed in the House, 3rd October, 1849.
Books and Newspapers Publication Bill	By Message	3 Oct.	4 Oct.	9 Oct.	9 Oct.	9 Oct.				10 Oct.	12 Oct.	9 Nov.	

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* See "LAW REFORM" and "STATISTICS."

† See "ROADS."

‡ See "FINANCE."

§ See "IMMIGRATION" and "QUIT RENTS."

|| See "STATISTICS" and "WINE MAKING."

¶ See "BRIDGES," "CHARITABLE INSTITUTIONS," "CORPORATION," "EDUCATION," "HIS EXCELLENCY THE GOVERNOR," "PUBLIC WORKS AND BUILDINGS," "REVENUE AND EXPENDITURE," "SHEEP," and "STEAM COMMUNICATION."

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* NOTE.—In part expunged by Resolution recorded in Votes No. 71, at page 256 of Vol. 1.

† See "CROWN LANDS."

‡ See "ADMINISTRATION OF JUSTICE."

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*See "ADMINISTRATION OF JUSTICE," "CROWN LANDS," "CUSTOMS DUTIES," "EDUCATION," "HAWKERS AND PEDLERS," "IMMIGRATION," "INSOLVENT ESTATES," "POSTAGE," "RETURNS UNDER ACTS OF COUNCIL," "REVENUE AND EXPENDITURE," "SEAPORTS," and "TRANSPORTATION."

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NOTE.—The figure within parenthesis—as "(2)"—denotes the number of separate papers where there are more than one on the same subject.

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STANDING RULES AND ORDERS

OF

THE LEGISLATIVE COUNCIL

OF

NEW SOUTH WALES.

1849.

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STANDING RULES AND ORDERS
OF
THE LEGISLATIVE COUNCIL
OF
NEW SOUTH WALES.

GENERAL CONDUCT OF BUSINESS.

I. That in all cases not hereinafter provided for, resort shall be had to the rules, forms, and usages of Parliament, which shall be followed so far as the same are applicable to the proceedings of this Council.

II. That the Speaker shall take the Chair at the hour appointed for the Meeting of the Council, and if at the expiration of half an hour after the hour appointed there is not a quorum, the Speaker shall adjourn the Council to the next sitting day.

III. That if at any time after the commencement of the business of the day, notice be taken that there is not present one-third of the Members, exclusive of the Speaker, the Speaker shall, by his own authority, adjourn the Council to the next day of meeting.

IV. That whenever the Speaker is obliged to adjourn the Council for want of a quorum, the hour at which such adjournment is made, and the names of the Members then present, shall be inserted in the Journals of the Council.

V. That no Order for a Call of the House shall be made for any day earlier than one month from the date of such Order.

VI. That whenever a Division shall be demanded by any Member, the Members present shall take their seats, the ayes on the right, the noes on the left of the Chair respectively, and the Speaker shall appoint Tellers, one of either party, and shall declare which has the majority from written lists of the Members voting on each side, to be handed to him by the Tellers.

VII. That previously to any Division, strangers shall withdraw from the body of the House, and the Doors be locked; after which no Member shall be allowed to enter or leave the House until the numbers be declared.

VIII. That an entry of the Division Lists be made by the Clerk in the Journals.

MOTIONS.

IX. That no Notice of Motion shall be received after the Council shall have proceeded to the Orders of the Day.

X. That no Member shall make any Motion initiating a subject for discussion, but in pursuance of Notice openly given at a previous sitting of the Council, and duly entered on the Notice Paper.

XI. That it shall be in order on the presentation of any Document, except a Petition, to move, without Notice, that it be printed, and to appoint a day for its consideration.

XII.

XII. That Motions shall take precedence of Orders of the Day, and be moved in the order in which they stand on the Notice Paper, and if not so moved, shall be expunged therefrom.

PUBLIC BILLS.

XIII. That before a Bill shall be read a third time, the Chairman of Committees shall certify that the Engrossment is in accordance with the Bill as reported.

XIV. That when a Bill shall have passed the Council, the Speaker shall sign the same, and the Clerk shall certify the date of its passing, at the foot of the Bill.

XV. That all Bills when passed shall be presented to the Governor, for Her Majesty's Assent, by the Speaker.

COMMITTEES OF THE WHOLE COUNCIL.

XVI. That in Committees of the whole Council, twelve Members, exclusive of the Chairman, shall be a quorum.

XVII. That the Lists of Divisions in Committees of the whole Council shall be printed weekly.

LAPSED QUESTIONS.

XVIII. That if a Debate on any Motion moved and seconded, be interrupted by the Council being counted out, such Debate may be resumed at the point where it was so interrupted, on Motion upon Notice.

XIX. That if a Debate on any Order of the Day be interrupted by the Council being counted out, such Order may be restored to the Paper for a future day, on Motion upon Notice, and then such Debate shall be resumed at the point where it was so interrupted.

XX. That if the discussion of any question in a Committee of the whole Council be interrupted for want of a quorum, the Council may order the resumption of such Committee on a future day, on Notice upon Motion, and the discussion of such question shall then be resumed at the point where it was so interrupted.

SELECT COMMITTEES.

XXI. That no Select Committee shall consist of less than five or more than ten Members without leave from the Council.

XXII. That it shall not be compulsory on the Speaker to serve on any Select Committee.

XXIII. That every Member proposing a Select Committee, or introducing a Bill, Petition, or Motion upon any subject which may be referred to a Select Committee, shall be one of the Committee without being named by the Council.

XXIV.

XXIV. That the Notice of Motion for the appointment of every Select Committee, shall contain the names of the Members who the Mover intends shall serve with himself on such Committee.

XXV. That if upon any Motion for a Select Committee any one Member shall require it, such Committee shall be formed in the manner following, viz:—Each Member shall give in to the Clerk a List of the Members who he intends shall serve on such Committee, not exceeding the number proposed, exclusive of the Mover himself; and if any such List contain a larger number of names it shall be void and rejected; and the Members who shall be reported by the Clerk to have the greatest number of Votes, shall be declared by the Speaker to be, with the Mover, the Members of such Committee.

XXVI. That any Notice of Motion for discharging, adding, or substituting Members of a Select Committee, shall contain the names of such Members.

XXVII. That in all Select Committees three shall be a quorum.

XXVIII. That every Select Committee, previously to the commencement of business, shall elect one of its Members to be the Chairman.

XXIX. That every Report of a Select Committee shall be signed by the Chairman thereof.

XXX. That Lists be affixed in some conspicuous place in the Clerk's Office, and in the Lobby of the House, of all Members serving on each Select Committee.

MESSAGES.

XXXI. That whenever a Message from the Governor shall be announced, the business before the Council shall be immediately suspended, and the bearer of the Message introduced into the Council Chamber to deliver the Message to the Speaker.

XXXII. That the Speaker shall immediately read the Message to the Council, and, if necessary, a day be fixed for taking the same into consideration.

PETITIONS.

XXXIII. That no Petition shall be presented after the Council shall have proceeded to the Orders of the Day.

XXXIV. That it shall be incumbent on every Member presenting a Petition to acquaint himself with the contents thereof, and to report that he does not consider the language of the Petition disrespectful to the Council.

XXXV. That every Member presenting a Petition to the Council, not being a Petition for a Private Bill, or relating to a Private Bill before the Council, do confine himself to a statement of the parties from whom it comes—of the number of signatures attached to it—of the material allegations contained in it—and to the reading of the prayer thereof; and the only question which shall be entertained by the Council, on the presentation of any Petition, shall be—“That the Petition be received.”

PRIVATE BILLS.

XXXVI. That every Petition for a Private Bill shall be signed by one or more of the parties applying for the Bill; and shall commence by setting forth that, within the three months previously to its presentation to the Council, public notice of the intention to apply for the Bill has been given once a week, for four consecutive weeks, in the *New South Wales Government Gazette*; and shall also contain a true statement of the general objects of the Bill: And that the production of the numbers of such *Gazette* shall be sufficient proof of such notice.

XXXVII. That when the Petition shall have been received, and the requisite notice proved, Notice of Motion for leave to bring in the Bill shall be given, as in the case of Public Bills.

XXXVIII. That when leave to bring in a Private Bill shall have been obtained, and before it shall be read a first time, it shall be printed at the expense of the parties applying for it, and a sufficient number of copies delivered to the Clerk for the use of the Council.

XXXIX. That when a Private Bill shall have been read a first time, it shall be referred to a Select Committee, who shall require proof of the allegations contained in the Preamble.

XL. That every Petition against a Private Bill shall be referred to the Select Committee on such Bill; and shall distinctly specify the grounds on which the Petitioners object thereto.

XLI. That every Select Committee on a Private Bill may hear Counsel if it be desired, and may also take such oral or other evidence as they may think requisite, and may decide on matters in issue between the persons conducting and opposing the Bill; after which the question shall be put from the Chair, "That this Preamble stand part of the Bill?" And if the Committee should be of opinion that the Preamble has not been satisfactorily proved, they shall direct the Chairman to that effect, which shall be fatal to the Bill; but if it be carried that the Preamble stand part of the Bill, the several clauses of the Bill shall next be proceeded with, and the amendments, if any, carefully noted for report to the Council, care being taken that no clause be inserted, or amendment made in the Bill, which shall be foreign to the import of the notice hereinbefore required.

XLII. That upon a Private Bill being brought up and reported by the Select Committee, such Bill shall be proceeded with as in the case of Public Bills.

XLIII. That all the expenses and costs in this Council attending on Private Bills be paid by the parties interested in the same.

 STRANGERS.

XLIV. That the Speaker only shall have the privilege of admitting Strangers to the body of the Council Chamber; but every Member shall have the privilege of admitting by Orders three Strangers to the Gallery of the Council Chamber.

XLV. That on the request of any Member, or in his own discretion, the Speaker shall at any time order Strangers to withdraw, and such Strangers shall immediately withdraw accordingly.

 CONTEMPT

CONTEMPT.

XLVI. That any Member not attending in compliance with an order for a Call of the House, without reasonable excuse, shall be held guilty of contempt.

XLVII. That no Member shall absent himself during the Session for more than a fortnight at a time, without express leave of absence from the Council; and any Member wilfully infringing this order shall be held guilty of contempt.

XLVIII. That any Member who shall wilfully disobey any lawful order of the Council, and any Member or other person who shall wilfully or vexatiously interrupt the orderly conduct of the business of the Council, shall be guilty of contempt.

XLIX. That any Member or other person adjudged by the Council, for any of the causes hereinbefore mentioned, guilty of contempt, shall be fined in a penalty at the discretion of the Council not exceeding twenty pounds, and in default of immediate payment shall be committed by the Warrant of the Speaker to the custody of the Sergeant-at-Arms for a period not exceeding fourteen days; and it shall be lawful for the said Sergeant-at-Arms to detain the said Member or person in his custody for the period directed by the Council, unless sooner discharged by order of the Council or unless the amount of fine imposed shall be sooner paid.

 SUSPENSION OF STANDING RULES AND ORDERS.

L. That any Standing Order or Orders of this Council may be suspended on Motion made without Notice, but that Notice shall always be given when practicable.

 DURATION OF STANDING RULES AND ORDERS.

LI. That the whole of these Standing Rules and Orders shall continue in force only until the expiration of one calendar month after the opening of the first Session of the Legislative Council which shall be convened after the dissolution or other termination of this Council.

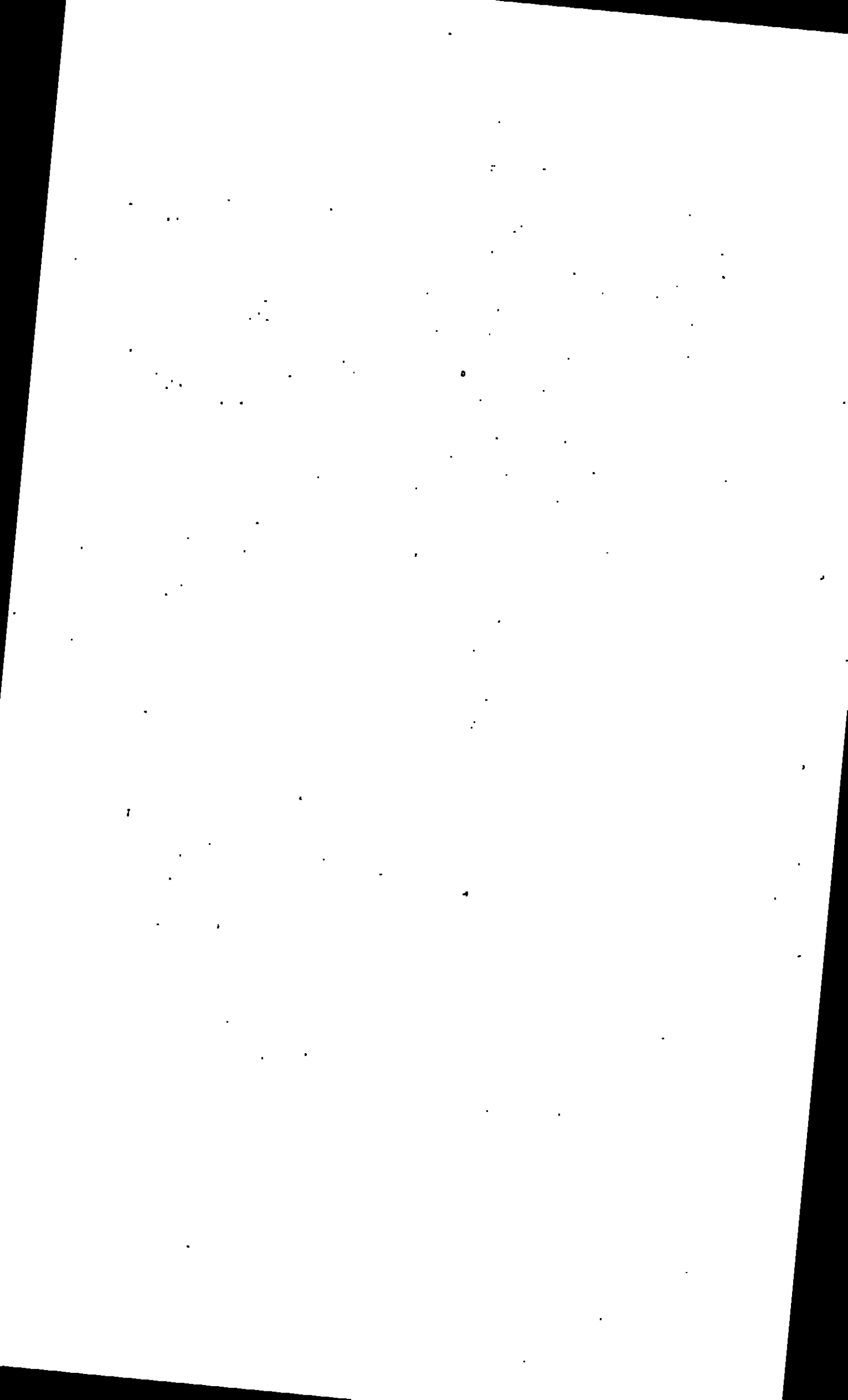
CHARLES NICHOLSON,
Speaker.

*Passed the Legislative Council,
this first day of June, one
thousand eight hundred and
forty-nine.*

Approved,

CH^s. A. FITZ ROY,
GOVERNOR.

WM. MACPHERSON,
Clerk of the Council.







VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 15 MAY, 1849.

PRESENT:—George Allen, Esq.; Alexander Berry, Esq.; William Bowman, Esq.; Charles Cowper, Esq.; Henry Dangar, Esq.; John Bayley Darvall, Esq.; Stuart Alexander Donaldson, Esq.; Robert Fitzgerald, Esq.; John George Nathaniel Gibbes, Esq.; Thomas Icely, Esq.; John Lamb, Esq.; William Lithgow, Esq.; Robert Lowe, Esq.; James Macarthur, Esq.; William Macarthur, Esq.; Donald Macintyre, Esq.; James Martin, Esq.; George Robert Nichols, Esq.; Charles Nicholson, Esq.; George Oakes, Esq.; Henry Watson Parker, Esq.; The Honorable John Hubert Plunkett, Esq.; The Honorable Campbell Drummond Riddell, Esq.; William Henry Suttor Esq.; The Honorable Edward Deas Thomson, Esq.; William Charles Wentworth, Esq.; and Major-General Edward Buckley Wynyard, C. B.

ABSENT:—John Dickson, Esq.; The Right Honorable Earl Grey; Edward Hamilton, Esq.; Lachlan Mackinnon, Esq.; Torrance Aubrey Murray, Esq.; James Frederick Palmer, Esq.; and Kenneth Snodgrass, Esq.

RESIGNED:—Edward Curr, Esq.; and George Hill, Esq.

1. Members sworn—The Council met pursuant to Proclamation of His Excellency the Governor, bearing date the 20th day of March, 1849, and the Clerk read the said Proclamation.

The Colonial Secretary produced a Commission from His Excellency the Governor, authorising himself, the Attorney General, and the Colonial Treasurer, to administer to each other, and to the Members of the Council, the Oath or Affirmation prescribed by the 25th section of the Constitutional Act, 5 and 6 Victoria, chap. 76, to be taken by each Member before he can sit or vote in the Council,—which Commission was read by the Clerk.

The Colonial Secretary then took the Oath himself, and administered the same to the other Commissioners, after which the Members present were duly sworn before the Commissioners, and the Letters Patent appointing the Non-Elective Members, and the *Writs returning the Elective Members*, were produced as the Members were sworn.

2. Election of Speaker:—Mr. Suttor moved, That Charles Nicholson, Esq., do take the Chair of this House, as Speaker; which motion was seconded by Mr. Bowman.

Then Mr. Wentworth moved, That Stuart Alexander Donaldson, Esq., do take the Chair of this House, as Speaker; which motion was seconded by Mr. Lowe.

Debate ensued—during which (immediately after Mr. Lowe had seconded Mr. Wentworth's motion) Dr. Nicholson and Mr. Donaldson respectively addressed themselves to the House.

The Question was put by the Clerk, by order of the House, That Charles Nicholson, Esq., do take the Chair of this House, as Speaker.

The Council divided.

Ayes, 18.

The Colonial Secretary,
The Major General Commanding,
The Attorney General,
Mr. Berry,
Dr. Nicholson,
Mr. Lamb,
Mr. Cowper,
Mr. Suttor,
Mr. Oakes,
Mr. Bowman,
Mr. Macintyre,
Mr. J. Macarthur,
The Auditor General,
Mr. Icely,
Mr. W. Macarthur,
Mr. Allen,
Mr. Parker,
The Collector of Customs, (Teller.)

Noes, 7.

Mr. Nichols,
Mr. Fitzgerald,
Mr. Dangar,
Mr. Wentworth,
Mr. Lowe,
Mr. Donaldson,
Mr. Martin, (Teller.)

Dr. Nicholson was then conducted to the Chair by his Mover and Seconder, and, having expressed his acknowledgments to the House, sat down in the Chair.

The

The Colonial Secretary having congratulated Mr. Speaker elect, the Elective Members present handed to the Clerk at the Table, as prescribed by the 3rd section of the Act (to explain and amend the Constitutional Act,) 7 & 8 Victoria, chap. 74, their several Declarations of Qualification as follow :—

“ I, William Bowman, of Richmond, in the Colony of New South Wales, Esquire, do declare and testify, That I am duly seised at Law or in Equity of an Estate of freehold, for my own use and benefit; in lands or tenements in the Colony of New South Wales, of the yearly value of one hundred and forty pounds, sterling money, viz., four acres and three quarters and twenty-four perches, together with the dwelling-house and out-buildings in Windsor-street, in the Town of Richmond; two acres and eight perches in the same street and town; one acre three quarters and three perches in the same street and town; also, five acres two quarters and eight perches in Lennox-street, with the buildings thereon, in the same town. These several premises are unincumbered, and I have the fee simple thereof: And that I have not collusively or colorably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales.”

W. BOWMAN.

Richmond, 14th May, 1849.

“ I, Charles Cowper, do declare and testify, That I am duly seised at Law or 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, namely, the Estate of Wivenhoe, containing nine hundred acres of land, situate in the County of Cumberland, and parish of Narellan—bounded by the Cowpasture River, the North Richmond and Cobbitty Roads, and the Estates of John Oxley, Esq. and the Revd. Thomas Hassall: And that I have not collusively or colorably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales.”

CHARLES COWPER.

*Legislative Council Chamber,
Sydney, 15th May, 1849.*

“ I, Henry Dangar, 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 net value of four thousand pounds, above all charges and incumbrances affecting the same, and of lands, houses, and hereditaments of the net value of two thousand pounds, above all charges and incumbrances affecting the same,—the said estate, lands, houses, and hereditaments being situated in the Parish of Whittingham, in the County of Northumberland, and in the Town of Singleton, in the same County: And that I have not collusively or colorably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales.”

HENRY DANGAR.

*Dated at Neotsfield, in the County of
Northumberland, this fourteenth
day of May, in the year of our
Lord one thousand eight hundred
and forty-nine.*

“ I, Stuart Alexander Donaldson, do declare and testify, That I am duly seised at Law or in Equity of an Estate in freehold, for my own use and benefit, in lands or tenements in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same,—situate in the City of Sydney, in Pitt-street north, adjoining the Union Bank, having forty-four feet frontage to Pitt-street, with one hundred and seventy-five feet depth, and having erected on it a mercantile store, dwelling-houses, and out-buildings, the Estate being mine in fee simple: And that I have not collusively or colorably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales.”

STUART A. DONALDSON.

Sydney, 18th April, 1849.

“ I, Robert Fitzgerald, 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, that is to say, the dwelling-house and premises in which I reside, in the Town of Windsor, in the County of Cumberland, in the said Colony, of which said dwelling-house and premises I am seised in fee simple: And that I have not collusively or colorably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales.”

R. FITZGERALD.

Sydney, May 15, 1849.

“ I,

" I, Robert Lowe, do declare and testify, That I am duly seised at Law or in Equity of an Estate in freehold, for my own use and benefit, in lands or tenements in the Colony of New South Wales, of the yearly value of £200 sterling money, above all charges and incumbrances affecting the same, that is to say, two houses in George-street, in the City of Sydney, in the Colony of New South Wales, near the corner of George and Hunter-streets, now in the occupation of Mr. Bonnett, Shoemaker, and Mr. Duper, Hair Cutter, for an Estate in fee simple: And that I have not collusively or colorably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of New South Wales."

ROBERT LOWE.

" I, James Macarthur, do declare and testify, That I am duly seised at Law or in Equity of an Estate in freehold, for my own use and benefit, in lands or tenements in the Colony of New South Wales, of the yearly value of one hundred pounds, sterling money, above all charges and incumbrances affecting the same, namely, a Grant from the Crown to the late John Macarthur, Esquire, called Camden Park, and another Grant from the Crown to Walter Stovenson Davidson, Esquire, called Belmont, which Estates are situated in the County of Camden, and which I hold in fee simple: And that I have not collusively or colorably obtained a title, 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."

JAS. MACARTHUR.

Sydney, 15th May, 1849.

" I, William Macarthur, do declare and testify, That I am duly seised at Law or in Equity of an Estate in freehold, for my own use and benefit, in lands or tenements in the Colony of New South Wales, of the yearly value of one hundred pounds, sterling money, above all charges and incumbrances affecting the same, namely, a Grant from the Crown to the late John Macarthur, Esquire, called Melrose, and another grant from the Crown also to the late John Macarthur, Esquire, called Cawdor, which Estates are situated in the County of Camden, and which I hold in fee simple: And that I have not collusively or colorably obtained a title, 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."

WM. MACARTHUR.

Sydney, 15th May, 1849.

" I, Donald Macintyre, 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, in the County of Briabane: And that I have not collusively or colorably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

DONALD MACINTYRE.

" I, James Martin, do declare and testify, That I am duly seised at Law or in Equity, of an Estate in freehold, for my own use and benefit, in lands or tenements in the Colony of New South Wales, of the yearly value of one hundred pounds, sterling money, above all charges and incumbrances affecting the same, that is to say, three dwelling houses situate in Harrington-street, in the City of Sydney, in the County of Cumberland, in the said Colony, bounded on the west by Harrington-street, on the south by a lane dividing them from Mr. Riley's property; on the east by other premises hereinafter mentioned, and on the north by Mrs. Terry's property; and also five dwelling houses situate in the rear of and adjoining the said three houses, of all which said houses, and the rents and profits thereof I am seised for and during the lives of Maurice Reynolds and Margaret Reynolds and the survivor of them: And that I have not collusively or colorably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

JAMES MARTIN.

15th May, 1849.

" I, Charles Nicholson, do declare and testify, That I am seised at Law or in Equity of Estates in freehold, for my own use and benefit, in lands and tenements of the value of two thousand pounds, sterling money, above all charges and incumbrances affecting the same, such Estates being and consisting of eight hundred and forty-three acres of land in the parish of Gnarwaree, in the County of Grant, in the District of Port Phillip; eight hundred and twenty-one acres of land situate at Liberty Plains, in the County of Cumberland; and the piece or parcel of land situate at the corner of Clyde-street, in the City of Sydney, with three several dwelling houses thereon erected; and the several Estates herein mentioned and described are held by me by freehold tenure: And I further declare that I have not collusively or colorably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

CHARLES NICHOLSON.

Sydney, 15th May, 1849.

" I,

" I, George Robert Nichols, of the City of Sydney, in the Colony of New South Wales, do declare and testify, That I am duly seized at Law or in Equity of an Estate in freehold, for my own use and benefit, in lands or tenements in the Colony of New South Wales, of the yearly value of one hundred pounds, sterling money, above all charges and incumbrances affecting the same; and I declare that the following are the particulars of the said lands and tenements, that is to say—Firstly, I am seized in fee simple of a piece or parcel of land situate on the west side of Kent-street, in the parish of Saint Andrew, in the City of Sydney, in the said Colony, with the messuage and tenement thereon erected and built; which said land is bounded on the east by the west side of Kent-street, forty-five feet, on the north by a western line of one hundred and twenty-nine feet, on the west by a southerly line of fifty-four feet four inches; and on the north by an eastern line to Kent-street; I am also seized in fee simple of nine perches of land situated in the City of Sydney, Parish of Saint Phillip, County of Cumberland, in the said Colony, bounded on the east by Clarence-street, and being the allotment granted by the Crown to one James Dummigan, by Grant bearing date the nineteenth day of October, in the year of our Lord one thousand eight hundred and thirty-one, as allotment Number four, in the Parish of Saint Phillip, described in the Government Notice, dated the eighteenth day of May, 1831; and I am seized in fee-tail of three hundred acres of land in the County of Cumberland, in the Colony aforesaid, situate at Cabramatta, in the said County, called or known as Joyce's farm: And I further declare that I have not collusively or colorably obtained the 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."

GEO. R. NICHOLS.

" I, George Oakes, do declare and testify, That I am duly seized 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, viz.—Dwelling house in the Town of Parramatta, in the County of Cumberland; also an Estate in the Counties of King and Georgiana, known as Oak Park, consisting of nineteen hundred and seven acres: And that I have not collusively or colorably obtained a title to, or become possessed of the said land and tenement, 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."

GEORGE OAKES.

" I, William Henry Suttor, do declare and testify, That I am duly seized 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.—County of Roxburgh, seven thousand acres of Land, a freehold, at Brucevale and Allowaybank, near Bathurst: And that I have not collusively or colorably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

W. H. SUTTOR.

Given under my Hand, this 15th day of May, 1849.

" I, William Charles Wentworth, do declare and testify, That I am duly seized 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, above all charges and incumbrances affecting the same, situate in the Parish of Alexandria, the Town of St. Leonards, the Parish of Newcastle, the Town of East Maitland, the County of Northumberland, and the City of Sydney: And that I have not collusively or colorably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

W. C. WENTWORTH.

The Colonial Secretary then informed the Council that His Excellency the Governor had been pleased to signify his intention of receiving their Speaker elect, at Government House, to-morrow, at half-past Ten o'clock,—and moved, That the Council do accordingly adjourn until to-morrow at Ten o'clock, for the purpose of presenting their Speaker elect to His Excellency the Governor, at Government House, at half-past Ten o'clock.

Question put and passed.

Council adjourned, at half-past Four o'clock, accordingly.

ORDER OF THE DAY.

WEDNESDAY, MAY 16.

1. To proceed to Government House to present the Speaker elect to His Excellency the Governor, at half-past Ten o'clock.

WM. MACPHERSON,
Clerk of the Council.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 16 MAY, 1849.

1. Presentation and Allowance of Speaker:—Council met pursuant to adjournment; the Speaker elect took the Chair.
On motion of the Colonial Secretary, the Council proceeded to Government House to present their Speaker elect to His Excellency the Governor.
The Council having returned, the Speaker reported that the Council had been to Government House, and had there presented him to His Excellency the Governor, who had not disallowed their choice of him to be their Speaker.
2. Opening the Session:—The Speaker also reported, That His Excellency the Governor had been pleased to signify his intention of coming to the Council Chamber in person to-morrow, at Twelve o'clock, to declare the purposes for which he has called the Council together, and to open the Session thereof.
Council adjourned at Eleven o'clock, until to-morrow at Twelve o'clock.

NOTICES OF MOTION.

THURSDAY, MAY 17.

1. THE COLONIAL SECRETARY to move, That this Council do now proceed to the election of two persons to be Members of the Court for the trial of any complaints that may be made against the return of any Member of this Council.
2. THE COLONIAL SECRETARY to move, That the Honorable John Hubert Plunkett, Esq., and William Charles Wentworth, Esq., be the two Members of the said Court.
3. THE COLONIAL SECRETARY to move, That a Committee, consisting of not less than eight Members, be appointed to prepare such Standing Rules and Orders as shall appear best adapted for the orderly conduct of the business of this Council,—such Committee to report not later than this day week.
4. THE COLONIAL SECRETARY to move, That the following Gentlemen be appointed the Members of such Committee; that is to say:—The Speaker, the Attorney General, Mr. Cowper, Mr. Parker, Mr. Wentworth, Mr. Lowe, Mr. Donaldson, and the Colonial Secretary.
5. THE COLONIAL SECRETARY to move, That Henry Watson Parker, Esq., be the Chairman of Committees of the whole Council for the Session.
6. THE COLONIAL SECRETARY to move, That Tuesday, Wednesday, Thursday, and Friday, in each week, be the days on which this Council shall meet for the dispatch of business.
7. THE COLONIAL SECRETARY to move, That Wednesday and Thursday, in each week, be set apart for the transaction of Government business.

CHARLES NICHOLSON,

Speaker.



VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 17 MAY, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Speaker's Commission to Swear :—The Speaker reported that he had been authorised by Commission, under the Hand of the Governor and Seal of the Territory, to administer the Oath or Affirmation prescribed by the 25th Section of the Constitutional Act, 5 and 6 Victoria, Chap. 76, to be taken by each Member before he can sit or vote in the Council—which Commission was read by the Clerk.
2. Royal Assent to Reserved Bill :—The Speaker said that he had to report to the House, that His Excellency the Governor had, by Proclamation under his Hand and Seal, bearing date at Government House, Sydney, the Fifteenth day of May, One thousand eight hundred and forty-nine, in the Twelfth year of Her Majesty's Reign, and published in a Supplement to the *New South Wales Government Gazette* of Tuesday, the Fifteenth day of May, One thousand eight hundred and forty-nine, published by authority on Wednesday, the Sixteenth day of May, One thousand eight hundred and forty-nine, signified and declared that the Right Honorable Earl Grey, one of Her Majesty's Principal Secretaries of State, had transmitted to him an Order, made by Her Majesty in Council, confirming, ratifying, and finally enacting an Act passed by the Legislative Council of New South Wales on the Seventh day of September, One thousand eight hundred and forty-seven, in the Eleventh year of Her Majesty's Reign, intituled, "*An Act to amend the Laws relating to Aliens within the Colony of New South Wales,*" which Act had been presented to His Excellency for Her Majesty's assent, and had been, by His Excellency, reserved for the signification of Her Majesty's pleasure thereon, as reported to the House on the Second day of October, One thousand eight hundred and forty-seven.
The Speaker then ordered the Clerk to make an entry of the said Proclamation in the Journals of the House, and to transmit an attested Duplicate thereof to the Registrar General, to be by him kept among the Records of the Colony, as required by the 33rd Section of the Constitutional Act, 5 and 6 Victoria, Chap. 76.
The following entry of the said Proclamation is made accordingly :—

" PROCLAMATION.

" By His Excellency Sir Charles Augustus Fitz Roy, Knight
 " Companion of the Royal Hanoverian Guelphic Order,
 " Captain-General and Governor-in-Chief of the Territory of
 " New South Wales and its Dependencies, and Vice-Admiral
 " of the same, &c., &c., &c.

" WHEREAS by an Act of the Imperial Parliament of Great Britain and Ireland,
 " passed in the fifth and sixth year of the reign of Her Majesty Queen Victoria, in-
 " titled, "*An Act for the Government of New South Wales and Van Diemen's*
 " "*Land,*" it is amongst other things enacted, that the Governor of New South Wales,
 " with the advice and consent of the Legislative Council by the said Act constituted, shall
 " have authority to make laws for the peace, welfare, and good government of the
 " said Colony; and that every Bill which has been passed by the said Council, and
 " also every law proposed by the Governor which shall have been passed by the
 " said Council, whether with or without amendments, shall be presented, for Her
 " Majesty's assent, to the Governor of the said Colony, and the Governor shall
 " declare, according to his discretion, but subject, nevertheless, to the provisions con-
 " tained in the said recited Act, and to such instructions as may, from time to time,
 " be given in that behalf by Her Majesty, Her Heirs or Successors, that he assents
 " to such Bill in Her Majesty's name, or that he withholds Her Majesty's assent, or
 " that he reserves such Bill for the signification of Her Majesty's pleasure thereon;
 " and it is thereby further enacted, that no Bill which shall be so reserved for the
 " signification of Her Majesty's pleasure thereon, shall have any force or authority
 " within the Colony of New South Wales until the Governor of the said Colony
 " shall

"shall signify, either by Speech or Message to the Legislative Council of the said Colony, or by Proclamation in the *New South Wales Government Gazette*, that such Bill has been laid before Her Majesty, in Council, and that Her Majesty has been pleased to assent to the same; and further that no Bill which shall be so reserved as aforesaid shall have any force or authority in the said Colony, unless Her Majesty's assent thereto shall be so signified as aforesaid within the space of two years from the day on which such Bill shall have been presented for Her Majesty's assent to the Governor as aforesaid: And whereas the said Legislative Council did, in the month of September, one thousand eight hundred and forty-seven, pass a Bill, intitled, '*An Act to amend the Laws relating to Aliens within the Colony of New South Wales*,' which Bill was, agreeably to the provisions of the above recited Act, reserved for the signification of Her Majesty's pleasure thereon: Now, therefore, I, Sir Charles Augustus Fitz Roy, as such Governor aforesaid, do, by this my Proclamation, signify and declare that the Right Honorable Earl Grey, one of Her Majesty's Principal Secretaries of State, has transmitted to me an Order made by Her Majesty, in Council, confirming, ratifying, and finally enacting the said Act, which will take effect accordingly from the date hereof.

"Given under my Hand and Seal, at Government House, Sydney, this fifteenth day of May, one thousand eight hundred and forty-nine, and in the Twelfth year of Her Majesty's Reign."

"(L.S.) CH^S. A. FITZ ROY."

"By His Excellency's Command,

"E. DEAS THOMSON."

"GOD SAVE THE QUEEN!"

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

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE COUNCIL:—

1. In calling you together for the first time since the General Election, I gladly avail myself of the opportunity which is thus presented to me of expressing my earnest desire to afford you my zealous co-operation, in devising and maturing such measures as may be considered conducive to the public welfare.

2. You commence your duties of Legislation at a time of considerable depression. The Commercial distress consequent on the Political convulsions which have for some time past agitated some of the Principal States of Europe has extended its baneful influence even to these distant regions. Wool, the great staple of the Colony, has not escaped that depreciation in value which has affected, more or less, property of every description. There is reason, however, to hope that, with the restoration of social order and political tranquillity on the Continent of Europe, the price of Colonial produce will again rise to a rate which will be sufficiently remunerative to the producer. In the meantime the active measures which have been adopted for the introduction into the Colony of an adequate supply of labour will, it is confidently anticipated, effect such a diminution in the cost of production as will at no distant period ensure a fair profit on the Capital employed in the principal objects of Colonial Industry.

3. Since the resumption of Immigration, in 1848, no fewer than 54 ships have arrived in the Colony, bringing out 13,161 souls at the public expense; and the Colonial Land and Emigration Commissioners have notified the acceptance by them of Tenders for seven additional ships which are now on their way to these shores. In order to meet the expense of this Immigration I have already found it necessary to make arrangements for raising the sum of £50,000 by Debentures secured upon the Territorial Revenue. If, however, as seems to be most essential for the general interests of the Colony, Immigration is to be continued upon a scale commensurate with the urgent demand that still exists for pastoral and agricultural labor, some comprehensive measure for raising the requisite funds must be speedily adopted. It will be my duty to lay before you without delay a series of Despatches from the Secretary of State and also other documents having reference to this important subject; and to the proposals and information which they contain I would earnestly direct your early and attentive consideration.

4. Although the latter part of the season has been unfavorable, and the Maize crops have in consequence almost entirely failed, I am happy to be able to state that, by the bounty of Providence the Wheat harvest has been unusually productive throughout the whole of the agricultural districts of the Colony; and by the same Divine blessing we continue to enjoy an abundance of all the necessaries of life at remarkably low prices.

5. The Council will learn with satisfaction that, irrespective of the collection under the new Act imposing an Assessment on Stock beyond the Settled Districts, the General Revenue for the whole Colony, for the year 1848, was equal to that of the preceding year, notwithstanding a considerable falling off in the Sydney District in the *ad-valorem* duties on certain articles of import; and especially on tea and sugar, caused by the great reduction in the cost price according to which they are chargeable. The aggregate amount of the General and Territorial Revenues fell but little short of the large sum collected in the year 1847.

6. I will immediately lay before you Statements of the Revenue and Expenditure for the past year in the usual compendious forms. The Estimates of Expenditure for the ensuing year will also be presented to you as speedily as may be found practicable. They will be prepared with an anxious desire to observe the strictest economy consistent with the efficiency of the public service and with a due regard to the prospects of the Revenue.

7. Her Majesty, having deemed it expedient to revoke the Charter establishing the new Colony of North Australia, has been pleased to re-annex to that of New South Wales the whole of the Territory lying to the northward of the 26th degree of south latitude, which was comprised within the limits of that Charter, and which previously was included within the jurisdiction of this Government. To the portion of the Territory thus re-annexed the Legislative authority of the Council will again consequently extend.

8. I will cause to be laid before you without delay a Despatch from the Secretary of State, detailing the general objects of the Legislative Constitutions which it is intended to propose to Parliament for the Australian Colonies, when the measures consequent on the separation of Port Phillip from this Colony as a distinct Dependency of the Crown shall be brought under its consideration.

9. In reference to the Address of the late Legislative Council presented to me on the 7th of April, 1848, I will also immediately lay before you several Despatches which I have received explanatory of the views and intentions of Her Majesty's Government on the subject of Convict discipline and transportation. A copy of the first of the series of these Despatches having been published for general information, public Meetings were held in Sydney and Melbourne at which Resolutions were passed, objecting to the renewal of transportation to this Colony. Conceiving it to be important that Her Majesty's Government should be made aware without delay of the expression of public opinion which was elicited at these meetings, I lost no time in transmitting a full report of the proceedings to the Secretary of State, with my urgent request, that any measures which might be in progress for sending out Convicts to this Colony should be suspended until I should be enabled to place His Lordship in possession of the deliberate opinion of the Council on the subject. I accordingly invite you to give it with all promptitude your attentive consideration.

10. I have also received from Her Majesty's Government several important Despatches respecting the introduction of Railway Communication into this Colony, and especially as regards certain intended relaxations in the provisions of the Crown Land Sales Act in favor of undertakings of this nature. These Despatches will be presented to you on an early day, together with a correspondence which has taken place with the Provisional Committee of a Company intended to be established in the Colony for the formation of Railroads between Sydney and the Southern and Western Districts. Without underrating the difficulties likely to be experienced in the present circumstances of the Colony in carrying out an object of this nature, I am so strongly impressed with the advantages which such means of internal communication would afford, that I am prepared, with your concurrence, to grant considerable facilities towards its accomplishment. The proposals for this purpose you will find embodied in the correspondence referred to.

11. I have much gratification in announcing to you that Her Majesty's Government has authorised a contract to be entered into with the India and Australia Steam Packet Company for the conveyance of the Mails by Steam between England and this Colony, by way of Singapore and Torres Straits, according to the plan suggested for this purpose by the Select Committee which sat and reported in the years 1846 and 1848, provided the Lords Commissioners of the Admiralty be satisfied of the ability of the Company to perform the contract. The Secretary of State further informs me that a proposal for establishing Steam Communication with the Australian Colonies by way of the Cape of Good Hope was also under the consideration of Her Majesty's Government. His Lordship's Despatch on this subject will be presented to you immediately.

12. I have likewise the satisfaction to inform you that the Lords Commissioners of the Admiralty have expressed their willingness to make provision in the Navy Estimates of the present year for a fair contribution towards the formation of the Dry Dock at Cockatoo Island, provided that it be constructed according to certain dimensions which they deem necessary for a large Frigate or Steamer,—that Her Majesty's Ships should have a preference in the use of the Dock when required,—and that the work can be executed at a reasonable cost. In consequence of this communication I have caused an Estimate to be prepared shewing the additional expense of carrying out the work in conformity with their Lordships' suggestions. This Estimate, together with the whole of the correspondence on the subject, will be immediately laid before you; and I invite your early attention to their Lordships' proposal, that I may be enabled to communicate the result of your deliberations on the subject to Her Majesty's Government.

13. Amongst the most important of the Legislative measures which I intend to bring before you, is one having for its object the introduction of an uniform rate of postage. I do not anticipate that it will be found practicable to adopt so low a rate as that which has been established in the United Kingdom. The expenses of Contracts, in the absence of the great facilities enjoyed there by means of Railway Communication, forbid the hope that, for a considerable time at least, so desirable a reduction could be effected without creating an additional charge for this purpose on the General Revenue. There can be no desire, however, on the part of the Government to maintain any higher rate than may be found to be absolutely necessary to meet the actual expense incurred for the benefit of those persons who may have occasion to avail themselves of postal communication.

14. There are various other subjects upon which I shall have occasion to address you, and respecting which I will avail myself during the Session of the ordinary mode of bringing them under your consideration.

CH^s. A. FITZ ROY.

17th May, 1849.

His Excellency the Governor having been conducted to the door by the Speaker, the Council adjourned, at half-past Twelve o'clock, until Three o'clock.

4. The Council resumed.

Question of Order:—In answer to an inquiry by Mr. Martin, as to the authority for the entry on the Votes and Proceedings of Tuesday, the 16th instant, of the resignation of their

their Seats in this Council by Edward Curr, Esquire, and George Hill, Esquire, the following Letters were produced, and were then severally read by the Clerk on Motion of Mr. Cowper.

St. Heliers, nr. Melbourne,
4 May, 1849.

SIR,

I resign my Seat in the Legislative Council of New South Wales.

I have the honor to be,

Sir,

Your Excellency's most obedient Servant,

EDWARD CURR.

HIS EXCELLENCY

SIR CHARLES FITZ ROY,

&c., &c., &c.

Surry Hills,
Sydney, 14 May, 1849.

SIR,

In accordance with the opinion of my medical advisor that the state of my health will not permit me to give full attention to the onerous duties that would devolve on me as Member of the Legislative Council, I do myself the honor to place in the hands of your Excellency and request your acceptance of my resignation of the Seat which I have the honor to hold as Representative for the United Counties of Auckland and St. Vincent.

I have the honor to be,

Sir,

Your most obedient Servant,

G. HILL.

TO HIS EXCELLENCY

SIR CHARLES AUGUSTUS FITZ ROY,

&c., &c., &c.

The Colonial Secretary's Communications transmitting the foregoing Letters of Resignation to the Clerk, dated respectively the 15th day of May instant, were then also produced, and read by the Clerk.

Whereupon Mr. Martin moved, That the entry of the resignation of Edward Curr, Esquire, and of George Hill, Esquire, in the Votes and Proceedings of Tuesday, the 15th instant, be expunged.

Debate ensued.

Question put and negatived.

5. Transportation :—Mr. Lowe presented a Petition from certain Members of a Committee appointed to carry out the objects of a Public Meeting of Colonists held at the Victoria Theatre in Sydney, on the 9th March, 1849, praying the Council to adopt such measures as to them may appear expedient to prevent the Colony from again becoming a place to which offenders from the Mother Country, whether under the name of "Convicts," or "Exiles," or any other designation, may be sent.

Petition read and received.

6. Address in reply to Governor's Speech :—The Speaker read the copy of the Speech of His Excellency the Governor on opening the Session.

Mr. James Macarthur then moved, That a Select Committee, to consist of the following Members, be appointed to prepare an Address in reply to the Speech of His Excellency the Governor on opening the Session, viz :—

The Colonial Secretary,
Mr. Cowper,
Mr. Lowe,

Mr. Allen,
Mr. Donaldson,
Mr. Macintyre,

Mr. J. Macarthur.

Question put and passed.

Mr. James Macarthur having brought up the Address in reply to the Speech of His Excellency the Governor on opening the Session of the Council, as prepared by the Committee entrusted therewith, the Address was read by the Clerk as follows :—

" To His Excellency Sir Charles Augustus Fitz Roy, Knight Companion of the Royal Hanoverian Guelphic Order, 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 respectful thanks for your Excellency's Speech to this Council, and especially for the assurance of your Excellency's desire to co-operate with us in devising and maturing such measures as may be deemed conducive to the public welfare.

" We agree with your Excellency that we commence our duties of legislation at a period of great depression, and we concur with your Excellency as to the causes which have mainly contributed to the large reduction in the price of the great staple of the Colony.

" We are happy, however, in being able also to concur in the confident expectation entertained by your Excellency that the restoration of political tranquillity in Europe, and other causes, will ensure, at no distant period, a fair profit on the Capital employed in the principal objects of Colonial Industry.

" We

" We entertain a firm assurance, in common with your Excellency, that the depression already adverted to will be only temporary; nor can we doubt that, by the exercise of an enlightened and consistent policy, the varied natural resources of this country may be so developed and augmented as to render it one of the most important fields of Colonization and National Enterprise.

" It is satisfactory to us to learn that a large addition has been made to our Population since the resumption of Immigration, in 1848. We will apply ourselves with all diligence to the consideration of the important question which your Excellency has proposed for our deliberation, as to the means by which the necessary funds may be provided for continuing a supply commensurate with the urgent want of labor which still exists.

" It is gratifying to find that, notwithstanding the unfavorable circumstances to which your Excellency has adverted as having affected the Colony during the past year, the Revenue has suffered no diminution. The Estimates of Expenditure for the ensuing year shall receive our most careful consideration as soon as they are laid before us.

" We thank your Excellency for your proposal to present to us the Despatch of the Secretary of State respecting the Legislative Constitutions intended to be conferred on the Australian Colonies generally when the measure for the separation of the District of Port Phillip from this Colony as a distinct Dependency of the Crown shall be brought before Parliament.

" The question which your Excellency has proposed to submit for our deliberate opinion respecting Transportation, will receive that immediate and anxious consideration which its great importance, in relation to the moral and economical condition of the Colony, imperatively demands; and we will lose no time in putting your Excellency in possession of the result of our deliberations in order that the same may be communicated without delay to Her Majesty's Government.

" We shall also be prepared to adopt, in concurrence with your Excellency, such measures as may appear expedient and practicable with a view to the early introduction into this Colony of Railway Communication.

" After so many delays and disappointments we rejoice that measures are at length in progress for establishing Steam Communication with England by way of Singapore and Torres Straits.

" The announcement which your Excellency makes respecting the proposal of the Lords Commissioners of the Admiralty to provide in the Navy Estimates of the present year a fair contribution towards the formation of the Dry Dock at Cockatoo Island upon the conditions specified, is also gratifying to us. Your Excellency may rely on our giving the subject an early and attentive consideration.

" We are happy to find that your Excellency has determined to bring before us a measure during the present Session for establishing an uniform rate of postage, upon the principle which has proved so highly beneficial in the United Kingdom. We shall anxiously consider the details of this measure, believing it to be one which is calculated to confer the most important advantages on the community.

" We beg to assure your Excellency that such further measures as you may deem expedient to bring under our notice during the Session, shall at all times receive our anxious and attentive consideration."

" *Legislative Council Chamber,
Sydney, 17th May, 1849.*"

Moved by Mr. James Macarthur, and seconded by Mr. Macintyre, That the Address now read by the Clerk, be adopted as the reply of this Council to His Excellency the Governor's speech on opening the Session.

Question put and passed.

The Speaker was proceeding to request leave of the Council, in the absence of Standing Orders, to appoint a Deputation to wait upon the Governor, to ascertain when His Excellency may be pleased to receive their Address, when the Colonial Secretary informed the Council that, in anticipation of the wish of the House, he had already waited upon the Governor, and ascertained it to be His Excellency's pleasure to receive the Council's Address in reply to his speech on opening the Session, at Government House, on Tuesday next, at half-past Two o'clock,—whereupon it was agreed that the Council proceed to Government House on Tuesday next, and there present to the Governor their Address in reply to His Excellency's opening speech, at half-past Two o'clock.

7. Court for Trial of disputed Elections:—The Speaker reported, That he had received a Commission under the hand of the Governor and Seal of the Territory, bearing date at Government House, Sydney, the 15th day of May, in the year of our Lord 1849, naming William Carter, of Sydney, Esq., and William Henry Kerr, also of Sydney, Esq., to be Members of a Court for the Trial of any complaints which may be made against the validity of any Returns made by the Returning Officers of the several Electoral Districts created by the Act of Council, 6th Victoria, No. 16, passed in the Sixth year of Her Majesty's Reign,—which Commission was read by the Clerk.

The Speaker then reported, That he had received a letter under the hand of the Chief Justice of the Colony, bearing date at the Supreme Court the 16th day of May, 1849, nominating William Alexander Purefoy, Esq., to be President of the said Court,—being a Barrister of Ireland of above 5 years standing,—which letter was also read by the Clerk.

The Colonial Secretary then moved, That the Nomination of William Carter, Esq., and William Henry Kerr, Esq., to be Members, and of William Alexander Purefoy, Esq.,

Esq., to be President of the said Court, be by the Clerk entered of record in the Proceedings of the Council, as required by the 39th section of the said Act.

Debate ensued.

Motion, by leave, withdrawn.

The Colonial Secretary then moved, pursuant to notice, That this Council do now proceed to the election of two persons to be Members of the Court for the trial of any complaints that may be made against the return of any Member of this Council.

Debate ensued.

Question put.

Council divided.

Ayes, 13.

Mr. Icely,
Mr. Allen,
The Major General Commanding,
The Collector of Customs,
Mr. Parker,
Mr. Macintyre,
Mr. Berry,
Mr. W. Macarthur,
Mr. J. Macarthur,
The Auditor General,
The Attorney General,
The Colonial Secretary,
The Colonial Treasurer, (Teller.)

Noes, 8.

Mr. Martin,
Mr. Fitzgerald,
Mr. Oakes,
Mr. Lowe,
Mr. Suttor,
Mr. Nichols,
Mr. Dangar,
Mr. Cowper, (Teller.)

Then the Colonial Secretary moved, pursuant to *amended* notice, That Mr. Darvall and Mr. James Macarthur be the two Members of the said Court elected by this Council under the 30th section of the said Act.

Debate ensued.

Question put.

Council divided.

Ayes, 14.

Mr. Allen,
Mr. Icely,
The Major General Commanding,
Mr. Parker,
The Collector of Customs,
Mr. W. Macarthur,
Mr. Berry,
Mr. Suttor,
Mr. Macintyre,
The Auditor General,
The Attorney General,
Mr. J. Macarthur,
The Colonial Secretary,
The Colonial Treasurer, (Teller)

Noes, 7.

Mr. Fitzgerald,
Mr. Nichols,
Mr. Oakes,
Mr. Martin,
Mr. Lowe,
Mr. Dangar,
Mr. Cowper, (Teller)

And so the Nomination and Election respectively of William Alexander Purefoy, Esquire, as President, and of William Carter, William Henry Kerr, John Bayley Darvall, and James Macarthur, Esquires, as Members of the said Court, are hereby duly recorded by the Clerk under the 39th section of the said Act.

8. Standing Orders:—The Colonial Secretary moved, pursuant to notice, That a Committee, consisting of not less than eight Members, be appointed to prepare such Standing Rules and Orders as shall appear best adapted for the orderly conduct of the business of this Council,—such Committee to report not later than this day week.

Question put and passed.

Then the Colonial Secretary moved, pursuant to *amended* notice, That the following Gentlemen be appointed the Members of such Committee; that is to say:—The Speaker, the Attorney General, Mr. Cowper, Mr. Parker, Mr. J. Macarthur, Mr. Lowe, Mr. Donaldson, and the Colonial Secretary.

Question put and passed.

9. Chairman of Committees:—The Colonial Secretary moved, pursuant to notice, That Henry Watson Parker, Esq., be the Chairman of Committees of the whole Council for the Session.

Question put and passed.

Whereupon Mr. Parker made his acknowledgments to the House.

10. Dispatch of General Business:—The Colonial Secretary moved, pursuant to notice, That Tuesday, Wednesday, Thursday, and Friday, in each week, be the days on which this Council shall meet for the dispatch of business.

Question put and passed.

11. Dispatch of Government Business:—The Colonial Secretary moved, pursuant to *amended* notice, That on Wednesday and Thursday, in each week, the transaction of Government business shall take precedence of all other business.

Question put and passed.

Council adjourned at a quarter before Six o'clock, until *Tuesday next, at Two o'clock.*

NOTICES OF MOTION.

TUESDAY, MAY 22.

MEMO :—The Council meet at *two o'clock*, and proceed to Government House, there to present to the Governor their Address in reply to His Excellency's opening Speech, at half-past Two o'clock.

NOTICES OF MOTION :—

1. **MR. COWPER** to move, That an Address be presented to His Excellency the Governor praying that he will cause to be laid on the Table of this House, a Return shewing the number and classification of all cases dealt with at the respective places for holding Petty Sessions within the Districts included in the boundaries of location, between the 1st January, 1848, and the 31st March last, specifying the mode in which they were disposed of,—whether by dismissal, summary conviction, or committal for trial at the Supreme Court or Courts of Quarter Sessions.
2. **MR. COWPER** to move, That an Address be presented to His Excellency the Governor, respectfully requesting that he will not cause any Convicts destined by Her Majesty's Government for the District of Port Phillip to be brought on to the Middle District; and also, that His Excellency will be pleased to prevent the dispersion of any Convicts who may arrive in the Harbour of Port Jackson throughout the distant Districts of the Colony, where there are no means of exercising proper discipline over them, and where their presence must be injurious in every point of view to the Immigrant families now proceeding thither.
3. **MR. NICHOLS** to move for leave to bring in a Bill to confer on all Justices of the Peace for the City of Sydney certain powers heretofore vested in the Police Magistrates of the said City.
4. **MR. LOWE** to move, That a Select Committee be appointed to inquire into and Report on the working of the Corporation of the City of Sydney.
5. **MR. LOWE** to move, That the papers relating to the then Superintendent of Police, Mr. Miles, laid on the Table of the House by the Colonial Secretary on the 7th June, 1848, be printed.
6. **MR. COWPER** to move, That a Select Committee, consisting of seven Members, be appointed to prepare Resolutions, for the consideration of this Council, in reference to the Despatch of the Right Honorable Secretary of State, No. 166, dated 3 September, 1848, announcing the intention of Her Majesty's Government again to transport Convicts to New South Wales.

WEDNESDAY, MAY 23.

1. **THE ATTORNEY GENERAL** to move for leave to bring in a Bill for the Amendment of the Administration of the Criminal Law.
2. **THE ATTORNEY GENERAL** to move for leave to bring in a Bill for the removal of defects in the Administration of Criminal Justice.

FRIDAY, MAY 25.

1. **MR. COWPER** to move for leave to bring in a Bill to Incorporate the Sydney Railway Company.

WEDNESDAY, MAY 30.

1. **THE ATTORNEY GENERAL** to move for leave to bring in a Bill to consolidate and amend the Laws relating to the Licensing of Public Houses, and to Regulate the Sale of Fermented and Spirituous Liquors in New South Wales.

CHARLES NICHOLSON,

Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 22 MAY, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Address in reply to Opening Speech:—On motion of Mr. James Macarthur the Council proceeded to Government House, there to present to the Governor their Address in Reply to His Excellency's Opening Speech.
2. Member sworn:—The Council having returned, Kenneth Snodgrass, Esquire, took the Oath, and, having handed to the Clerk at the Table the following Declaration of his Qualification, took his Seat as Member for the Electoral District of Gloucester, Macquarie, and Stanley:—

" I, Kenneth Snodgrass, do declare and testify, That I am duly seised at Law
" or in Equity of Estates in 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, above all charges and incumbrances affecting the same, viz.—The Estates
" of Eagleton containing twelve hundred acres, and of Fullerton containing eleven
" hundred acres, with Cottages on each; both are in the County of Gloucester and
" District of Raymond Terrace, together with a house and ground in that Town, and
" a thousand acres near the Town of Paterson, County of Durham; also three tene-
" ments of houses in the Town of Melbourne, and land on the Yarra Yarra, near the
" Town: And that I have not collusively or colorably obtained a title to, or become
" possessed of the said lands and tenements, or any part thereof, for the purpose of
" qualifying or enabling me to be returned a Member of the Legislative Council of
" New South Wales."

K. SNODGRASS.

Sydney, 21st May, 1849.

3. Governor's Answer to Address in reply to Opening Speech:—The Speaker reported that the Council had been to Government House, and there presented to the Governor their Address in reply to His Excellency's Speech on opening the Council, and that His Excellency had been pleased to make the following Answer:—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE COUNCIL:—

I thank you for this Address; and I receive with entire confidence the expression of your loyalty and affection to the Person and Government of Our Most Gracious Sovereign; and also the assurance that such measures as I may deem it expedient to bring under your notice during the Session shall receive your anxious and attentive consideration.

CH^S. A. FITZ ROY.

*Government House,
22nd May, 1849.*

4. Qualification of Member:—John Bayley Darvall, Esquire, handed to the Clerk at the Table the following Declaration of Qualification, and took his Seat as Member for the Electoral District of Bathurst:—

Sydney, May 15, 1849.

" I, John Bayley Darvall, do declare and testify, That I am duly seised at Law
" and in Equity of an Estate in freehold for my own use and benefit, in lands and tene-
" ments in the County of Cumberland and Colony of New South Wales, of the yearly
" value of one hundred pounds sterling money and upwards, above all charges and in-
" cumbrances affecting the same, namely, at Law, of a House and Land at Ryde, in
" my own occupation, and in Equity, of Houses and Land at Botany, in the occupation
" of Messrs. Castilla and Co.: And that I have not collusively or colorably obtained a
" title to, or become possessed of the said lands and tenements, or any part thereof,
" for the purpose of qualifying me or enabling me to be returned a Member of the
" Legislative Council of the Colony of New South Wales."

J. B. DARVALL.

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

(1.) Minimum Upset Price of Crown Lands :—

CH^s. A. FITZ ROY,

Message No. 1.

Governor.

The Governor transmits to the Legislative Council, the Copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, in reply to a Despatch from His Excellency, forwarding, for the consideration of Her Majesty's Government, the Report of the Select Committee of the Legislative Council on the Minimum Upset Price of Crown Lands, dated 27th September, 1847.

*Government House, Sydney,
22nd May, 1849.*

Ordered to be printed, together with the accompanying Despatch.

(2.) Renewal of Transportation :—

CH^s. A. FITZ ROY,

Message No. 2.

Governor.

The Governor transmits to the Legislative Council, copies of certain Despatches which have been received from the Right Honorable the Secretary of State for the Colonies, on the subject of the renewal, in a modified form, of Transportation to this Colony.

*Government House, Sydney,
22nd May, 1849.*

Ordered to be printed, together with the accompanying Despatches.

(3.) Crown Lands occupied under License beyond the Settled Districts :—

CH^s. A. FITZ ROY,

Message No. 3.

Governor.

In reply to the Address of the Legislative Council No. 48-9 of the 16th May, 1848, the Governor lays before the Council "a Return shewing the number of persons who, " in virtue of one or more Licenses, hold tracts of Land beyond the Settled Districts, (including Port Phillip,) in quantities in the whole exceeding 25,000 acres and less than " 50,000 acres ;—50,000 acres and less than 100,000 acres ;—100,000 acres and less than " 150,000 acres ;—150,000 acres and less than 200,000 acres ;—200,000 acres and less " than 250,000 acres ;—250,000 acres and less than 300,000 acres ;—300,000 acres and " less than 350,000 acres ;—350,000 acres and less than 400,000 acres ;—400,000 acres " and less than 450,000 acres ;—450,000 acres and less than 500,000 acres ;—500,000 " acres and so on by additions of 50,000 acres up to the greatest quantity held by any " person or persons under one or more Licenses."

*Government House, Sydney,
22nd May, 1849.*

Ordered to be printed, together with the accompanying Return.

(4.) Intended Appropriations, under Schedule B, in 1850 :—

CH^s. A. FITZ ROY,

Message No. 4.

Governor.

Agreeably to the provisions of the 39th section of the Act for the Government of this Colony, 5th and 6th Victoria, chap. 76, the Governor lays before the Legislative Council a Statement of the sums intended to be appropriated, during the year 1850, to the several Services and Purposes named in Schedule B, to that Act annexed.

*Government House, Sydney,
22nd May, 1849.*

Ordered to be printed, together with the accompanying Statement.

(5.) Essays on Catarrh in Sheep :—

CH^s. A. FITZ ROY,

Message No. 5.

Governor.

The Governor transmits to the Legislative Council the accompanying Essays on the disease commonly called Catarrh in Sheep, which have been received in consequence of a Public Notice, dated 31st July, 1848, which, in pursuance of the provision made for the purpose by the late Council, offered a premium of one hundred pounds, to be awarded by a Select Committee of the Council, for the best practical Essay on the subject.

As three of the Essays now transmitted were not received until after the 31st of December, 1848, by which day they were required, by the notice, to be delivered, it will be for the Committee to decide whether or not they can be entertained.

*Government House, Sydney,
22nd May, 1849.*

Ordered to be printed, together with the accompanying List.

(6.) Salary of the Honorable Francis Scott :—

CH^s. A. FITZ ROY,

Message No. 6.

Governor.

The Governor transmits to the Legislative Council, the Copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, dated the 14th November, 1848, in reply to a Despatch in which His Excellency forwarded, for the information of Her Majesty's Government, a copy of the Address adopted by the Council on the 25th April, 1848, with respect to the Salary of the Honorable Francis Scott, whilst acting as Parliamentary Agent for this Colony.

*Government House, Sydney,
22nd May, 1849.*

Ordered to be printed, together with the accompanying Despatch.

(7.)

(7.) The late Alexander M'Leay, Esq. :—

CH^S. A. FITZ ROY,
Governor.

Message No. 7.

The Governor transmits to the Legislative Council, a copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, authorising His Excellency, in compliance with an Address from the Council to Her Majesty the Queen, to place upon the Estimates a sum sufficient as a compensation for the loss of Pension sustained by the late Alexander M'Leay, Esq., during the time he held the Office of Speaker of the Council.

The necessary provision for complying with the wish of the Council, will accordingly be made in the Supplementary Estimate for the present year.

Government House, Sydney,
22nd May, 1849.

Ordered to be printed, together with the accompanying Despatch.

(8.) Gunpowder Exportation Bill :—

CH^S. A. FITZ ROY,
Governor.

Message No. 8.

In accordance with the provisions of the Act for the Government of New South Wales, 5 and 6 Victoria, Cap. 76, the Governor transmits to the Legislative Council, the Draft of a Bill " *To continue for a further limited time, an Act, intituled, " An Act to regulate for a limited time, the exportation of Gunpowder and Warlike " Stores from the Colony of New South Wales."*

2. The Governor also transmits to the Council, the Copy of a Communication from the Civil Secretary to the Government of New Zealand, representing that the greatest benefits have arisen to that Colony, from the operation of the Act which it is now sought to continue, and that it would be unsafe to allow it to expire.

Government House, Sydney,
22nd May, 1849.

Ordered to be printed, together with the accompanying Letter and Bill, and taken into consideration to-morrow week.

(9.) Hawkers' and Pedlers' Bill :—

CH^S. A. FITZ ROY,
Governor.

Message No. 9.

In accordance with the provisions of the Act for the Government of New South Wales, 5th and 6th Victoria, Cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill " *To repeal the Laws relating to Hawkers and Pedlers in " the Colony of New South Wales, and to substitute other provisions in lieu thereof."*

Government House, Sydney,
22nd May, 1849.

Ordered to be printed, together with the accompanying Bill, and taken into consideration to-morrow week.

(10.) Aboriginal Natives Evidence Bill :—

CH^S. A. FITZ ROY,
Governor.

Message No. 10.

In accordance with the provisions of the Act for the Government of New South Wales, 5th and 6th Victoria, Cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill " *To allow the Aboriginal Natives of New South Wales to " be received as competent witnesses in criminal proceedings."*

Government House, Sydney,
22nd May, 1849.

Ordered to be printed, together with the accompanying Bill, and taken into consideration to-morrow week.

(11.) Lunatics' Bill :—

CH^S. A. FITZ ROY,
Governor,

Message No. 11.

In accordance with the provisions of the Act for the Government of New South Wales, 5th and 6th Victoria, Cap 76, the Governor transmits to the Legislative Council the Draft of a Bill, " *To amend the Law in respect to the safe custody of " persons dangerously insane ; and the care and maintenance of persons of unsound mind."*

Government House, Sydney,
22nd May, 1849.

Ordered to be printed, together with the accompanying Bill, and taken into consideration to-morrow week.

(12.) Courts of Requests and Petty Sessions Auction Bill :—

CH^S. A. FITZ ROY,
Governor.

Message No. 12.

In accordance with the provisions of the Act for the Government of New South Wales, the Governor transmits to the Legislative Council the Draft of a Bill, " *To " enable Bailiffs of the Courts of Requests and of Petty Sessions respectively, to sell by " Auction without a License."*

Government House, Sydney,
22nd May, 1849.

Ordered to be printed, together with the accompanying Bill, and taken into consideration to-morrow week.

(13.)

(13.) Party Processions' Bill :—

CH^s. A. FITZ ROY,
Governor.

Message No. 13.

In accordance with the provisions of the Act for the Government of New South Wales, the Governor transmits to the Legislative Council the Draft of a Bill, "To constitute an Act, intituled, 'An Act to prevent for a limited time, Party Processions and certain other public exhibitions in the Colony of New South Wales.'"

Government House, Sydney,
22nd May, 1849.

Ordered to be printed, together with the accompanying Bill, and taken into consideration to-morrow week.

6. Member Sworn :—Terence Aubrey Murray, Esq., having taken the Oath, and handed to the Clerk at the Table the following Declaration of Qualification, took his seat as Member for the Electoral District of Murray, King, and Georgiana.

" I, Terence Aubrey Murray, do declare and testify, That I am duly seised in 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, viz.—Four thousand acres at the north end of Lake George, in the County of Argyle; twelve hundred acres at Winderradeen, adjoining the above in the same County; two hundred acres at Collector, in the same County; and two thousand five hundred and sixty acres at Yarrolwulla, in the County of Murray, in fee simple: And that I have not collusively or colorably 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."

T. A. MURRAY.

7. Disputed Elections :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table, under the 47th section of the Act of Council, 6 Victoria, No. 16 :—

(1.) The copy of a Petition from Andrew Lang, of Dunmore, in the County of Durham, to His Excellency the Governor, against the return of the sitting Member for the Electoral District of the County of Durham.

(2.) Copy of a Petition from certain Electors of the Town and District of Parramatta, against the return of the sitting Member for the Electoral District of Parramatta.

The Colonial Secretary informed the Council, that the Original Petitions had been referred to the proper Court duly constituted under the 36th section of the said Act, and moved that the copies now presented be printed.

Debate ensued.

Motion by leave withdrawn.

8. New Constitutions for the Australian Colonies :—The Colonial Secretary laid upon the Table, the copy of the Despatch from the Right Honorable Earl Grey to His Excellency the Governor, respecting the New Constitutions proposed to be conferred on the Australian Colonies, No. 133, of 31 July, 1848, referred to in His Excellency's Opening Speech. Ordered to be printed.
9. Steam Communication :—The Colonial Secretary laid upon the Table, the copy of the Despatch from the Right Honorable Earl Grey to His Excellency the Governor, respecting Steam Communication between England and this Colony, No. 211, of 30th November, 1848, referred to in His Excellency's Opening Speech. Ordered to be printed.
10. Bank Returns :—The Colonial Secretary laid upon the Table, General Abstracts of the Sworn Returns of the average Assets and Liabilities, and of the Capital and Profits, of the several Banks in the Colony of New South Wales, rendered pursuant to the Act 4 Victoria, No. 13, for the Quarters ended respectively :—

31 March, 1848.

30 June, 1848.

30 September, 1848.

31 December, 1848.

31 March, 1849.

Ordered to be printed.

11. Ordnance Returns :—The Colonial Secretary laid upon the Table :—

(1.) A Return of all lands, messuages, tenements and buildings, vested in the principal Officers of Her Majesty's Ordnance in New South Wales, pursuant to the Act, 4 Vict., No. 2.

(2.) A Return of all monies received by, or payable to the said Officers under the same Act.

Ordered to be printed.

12. By-laws of National Education Board :—The Colonial Secretary laid upon the Table, pursuant to section 3, of 11 Victoria, No. 48, a Copy of certain By-laws made by the Commissioners of National Education.

Ordered to be printed.

13. Wine Making :—The Colonial Secretary laid upon the Table, a Despatch from the Right Honorable Earl Grey, enclosing observations on Wine Making.

Ordered to be printed, together with the accompanying Observations.

14. **Renewal of Transportation** :—Mr. Nichols presented a Petition from certain Inhabitants of the District of Maitland and the neighbourhood, praying the Council to protest, on behalf of the Colonists, against the renewal of Transportation to this Colony.
Petition read and received.
15. **Report from Board of National Education** :—The Colonial Secretary laid upon the Table, the Report of the Proceedings of the Board of National Education, for the year 1848.
Ordered to be printed.
16. **Criminal Statistics** :—Mr. Cowper moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Governor praying that he will cause to be laid upon the Table of this House, a Return shewing the number and description of all cases dealt with at the respective places for holding Petty Sessions within the Districts included in the boundaries of location, between the 1st January, 1848, and the 31st March last, specifying the mode in which they were disposed of,—whether by dismissal, summary conviction, or committal for trial at the Supreme Court, or Courts of Quarter Sessions; and also a Return stating the names of the Resident Magistrates in each District, and also the number of Court Days on which such Magistrates were present.
Debate ensued.
Question put and passed; Address to be presented by the Colonial Secretary and the Attorney General.
17. **Convicts Destined for Port Phillip** :—Mr. Cowper moved, pursuant to notice, That an Address be presented to His Excellency the Governor, respectfully requesting that he will not cause any Convicts destined by Her Majesty's Government for the District of Port Phillip to be brought on to the Middle District; and also, that His Excellency will be pleased to prevent the dispersion of any Convicts, who may arrive in the Harbour of Port Jackson, throughout the distant Districts of the Colony, where there are no means of exercising proper discipline over them, and where their presence must be injurious in every point of view to the Immigrant families now proceeding thither.
Debate ensued.
Mr. James Macarthur moved the Previous Question, which was seconded by Mr. Icely.
Debate continued.
The Previous Question put—" Shall the Question be now put ?"
Council divided.

Ayes, 9.

Mr. Nichols,
Mr. Oakes,
Mr. Murray,
Mr. Bowman,
Mr. Lamb,
Mr. Lowe,
Mr. Suttor,
Colonel Snodgrass,
Mr. Cowper, (Teller.)

Noes, 16.

Mr. Dangar,
Mr. Macintyre,
Mr. J. Macarthur,
The Colonial Secretary,
Mr. Donaldson,
Mr. Martin,
Mr. Fitzgerald,
Mr. Berry,
The Auditor General,
Mr. Icely,
The Major General Commanding,
The Attorney General,
Mr. Parker,
Mr. Allen,
The Collector of Customs,
The Colonial Treasurer, (Teller.)

18. **City Magistrates Bill** :—Mr. Nichols having, pursuant to notice, moved for, and obtained leave to bring in " *A Bill to confer on all Justices of the Peace for the City of Sydney certain powers heretofore vested in the Police Magistrates of the said City;*" Bill read a first time; ordered to be printed, and read a second time on Tuesday next.
19. **City Corporation** :—Mr. Lowe moved, pursuant to *amended* notice, That a Select Committee be appointed to enquire into and report on the working of the Corporation of the City of Sydney; such Committee to consist of:—

Mr. J. Macarthur,
Mr. Cowper,
The Colonial Secretary,
Mr. Lowe,

Mr. Lamb,
Mr. Wentworth,
The Speaker,
Mr. Martin.

Debate ensued.

Question put and passed.

20. **The late Superintendent of Police** :—Mr. Lowe moved, pursuant to *amended* notice, That the Report relating to the then Superintendent of Police, Mr. Miles, laid on the Table of the House by the Colonial Secretary on the 7th June, 1848, be printed.

Question put and passed; and Report ordered to be printed accordingly.

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 23.

NOTICES OF MOTION :—

1. THE ATTORNEY GENERAL to move for leave to bring in a Bill for the Amendment of the Administration of the Criminal Law.
2. THE ATTORNEY GENERAL to move for leave to bring in a Bill for the removal of defects in the Administration of Criminal Justice.
3. THE COLONIAL SECRETARY to move for leave to enlarge the time within which the Standing Orders' Committee shall report, to Tuesday, the 29th instant.
4. MR. COWPER to move, That a Select Committee, consisting of seven Members, be appointed to prepare Resolutions, for the consideration of this Council, in reference to the Despatch of the Right Honorable Secretary of State, No. 166, dated 3 September, 1848, announcing the intention of Her Majesty's Government again to transport Convicts to New-South Wales.

FRIDAY, MAY 25.

1. MR. COWPER to move for leave to bring in a Bill to Incorporate the Sydney Railway Company.

TUESDAY, MAY 29.

2. MR. DONALDSON to move for leave to bring in a Bill, to amend and consolidate the Laws relating to Seamen in the Merchant Service of the Colony of New South Wales, and for keeping a Register of Seamen belonging to Ships registered in the said Colony.
2. MR. DONALDSON to move, That a Select Committee be appointed, consisting of five Members, to enquire into and report upon the prospects of receiving the benefit of Steam Communication with Great Britain by way of Singapore, with reference to the Vote of this Council passed in the Session of 1847, appropriating £500 per month for three years, for this Service.

ORDER OF THE DAY :—

1. City Magistrates Bill ; second reading.

WEDNESDAY, MAY 30.

NOTICE OF MOTION :—

1. THE ATTORNEY GENERAL to move for leave to bring in a Bill to consolidate and amend the Laws relating to the Licensing of Public Houses, and to Regulate the Sale of Fermented and Spirituous Liquors in New South Wales.

ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 8, with Gunpowder Exportation Bill.
2. Consideration of Governor's Message No. 9, with Hawkers' and Pedlers' Bill.
3. Consideration of Governor's Message No. 10, with Aboriginal Natives' Evidence Bill.
4. Consideration of Governor's Message No. 11, with Lunatics' Bill.
5. Consideration of Governor's Message No. 12, with Courts of Requests and Petty Sessions Auction Bill.
6. Consideration of Governor's Message No. 13, with Party Processions Bill.

CHARLES NICHOLSON,

Speaker.

No. 5.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 23 MAY, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Member sworn:—Edward Hamilton, Esq., having taken the Oath, took his seat as a non-elective Member of the Council.
2. Postponement:—Mr. Cowper postponed the motion standing in his name on the Notice Paper for Friday next, until Tuesday, the 29th instant.
3. Withdrawal of Notice of Motion:—Mr. Cowper withdrew the motion standing in his name on the Notice Paper for to-day, substituting a Notice of Motion on the same subject for Tuesday next.
4. Administration of Criminal Law Bill:—The Attorney General having, pursuant to notice, moved for and obtained leave to bring in "*A Bill for the amendment of the administration of the Criminal Law,*" Bill read a first time; ordered to be printed, and read a second time this day week.
5. Administration of Criminal Justice Bill:—The Attorney General having, pursuant to notice, moved for and obtained leave to bring in "*A Bill for the removal of defects in the administration of Criminal Justice,*" Bill read a first time; ordered to be printed, and read a second time this day week.
6. Standing Orders Committee:—The Colonial Secretary, pursuant to notice, moved for leave to extend the time within which the Standing Orders Committee are required to report, to Tuesday, the 29th instant.
Question put and passed.

7. Further particulars of Qualification:—

(1.) William Charles Wentworth, Esq., handed to the Clerk the following:—

"The following are further particulars of a portion of the freehold estates mentioned in my former Declaration, and sufficient to give me the qualification required by Law for sitting and voting as a Member of this Council; I have given these further particulars because my former Declaration has been deemed (though I conceive erroneously,) too vague for the purposes of identification."

"I, William Charles Wentworth, do declare and testify, that I am duly seized 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, above all charges and incumbrances affecting the same, situate as follows, viz. :—In the parish of Alexandria and County of Cumberland in Watson's Bay a freehold estate of twenty-five acres, commonly called Cardell's grant; a freehold estate of fifty acres or thereabouts lying between the outer fences of Vacluse in the said county and the grants of Laycock and Francis M'Glynn; a grant to me in fee of thirty acres in Great Coogee Bay in the said county; a similar grant of two acres in the Town of St. Leonards, parish of Willoughby County of Cumberland; a similar grant of twenty-six acres in the parish of Newcastle, County of Northumberland; a similar grant of one acre in King-street Town of East Maitland County of Northumberland; a similar grant of eight hundred and seventy acres in the County of Macquarie at the confluence of Cedar Party Creek with the River Manning; a similar grant of nine hundred and eighty-six acres in the parish of Hexham County of Northumberland; in the City of Sydney in the County of Cumberland two roods of land, or thereabouts, being parcel of the Riley Estate lately purchased by me from J. J. Riley, Esq. : And that I have not collusively or colorably obtained a title to or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

W. C. WENTWORTH.

(2.) Donald Macintyre, Esq., handed to the Clerk the following:—

"The following are further particulars of the freehold estate mentioned in my former Declaration, and sufficient to give me the qualification required by law for sitting and voting as a Member of this Council; I have given these further particulars because my former Declaration has been deemed (though I conceive erroneously) too vague for the purposes of identification."

"I, Donald Macintyre, do declare and testify, that I am duly seized 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 and County of Brisbane, known as the Estate of Kayuga,
" in

"in the District of Scone, of the value of two thousand pounds sterling money above all charges and incumbrances affecting the same: And that I have not collusively or colorably obtained a title to or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

DONALD MACINTYRE.

Council adjourned at Four o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, MAY 29.

NOTICES OF MOTION :—

1. MR. DONALDSON to move for leave to bring in a Bill, to amend and consolidate the Laws relating to Seamen in the Merchant Service of the Colony of New South Wales, and for keeping a Register of Seamen belonging to the Ships registered in the said Colony.
2. MR. DONALDSON to move, That a Select Committee consisting of Mr. Cowper, Mr. Lowe, Mr. Murray, Mr. Suttor, and Mr. Donaldson, be appointed to inquire into and report upon the prospects of receiving the benefit of Steam Communication with Great Britain by way of Singapore, with reference to the Vote of this Council, passed in the Session of 1847, appropriating £500 per month for three years for this Service.
3. MR. COWPER to move for leave to bring in a Bill to Incorporate the Sydney Railway Company.
4. MR. COWPER to move, That a Select Committee consisting of Mr. Lamb, Mr. James Macarthur, Mr. Lowe, Mr. Wentworth, Mr. Nichols, Mr. Murray, and Mr. Cowper, be appointed to prepare Resolutions deprecating the revival of Transportation to this Colony upon any terms or conditions whatsoever; and that the Despatch of the Right Honorable the Secretary of State for the Colonies, No. 166, dated 3rd September, 1848, with its Enclosures, be referred to such Committee.
5. MR. SUTTOR to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House, any Correspondence that may have taken place between the Government and a Committee at Bathurst, called the Road Committee, relative to the proposal for forming a new line of Road from Hassan's Walls to Redbank; and also any Correspondence that may have taken place between the Government and the Surveyor General on the same subject.
6. MR. WENTWORTH 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 the total number of Convicts with tickets-of-leave or Exiles with conditional pardons, applied for by employers desirous of hiring them on their arrival.
7. MR. NICHOLS to move for leave to bring in a Bill for the better protection of Works of Art and Scientific and Literary Collections.

ORDER OF THE DAY :—

1. City Magistrates Bill; second reading.

WEDNESDAY, MAY 30.

NOTICE OF MOTION :—

1. THE ATTORNEY GENERAL to move for leave to bring in a Bill to consolidate and amend the Laws relating to the Licensing of Public Houses, and to Regulate the Sale of Fermented and Spirituous Liquors in New South Wales.

ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 8, with Gunpowder Exportation Bill.
2. Consideration of Governor's Message No. 9, with Hawkers' and Pedlers' Bill.
3. Consideration of Governor's Message No. 10, with Aboriginal Natives' Evidence Bill.
4. Consideration of Governor's Message No. 11, with Lunatics' Bill.
5. Consideration of Governor's Message No. 12, with Courts of Requests and Petty Sessions Auction Bill.
6. Consideration of Governor's Message No. 13, with Party Processions Bill.
7. Administration of Criminal Law Bill; second reading.
8. Administration of Criminal Justice Bill; second reading.

CHARLES NICHOLSON,

Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 29 MAY, 1849.

- 1. Council met pursuant to adjournment ; the Speaker took the Chair.
Member sworn :—Lauchlan Mackinnon, Esq., having taken the Oath, and handed to the Clerk at the Table the following Declaration of Qualification, took his Seat as a Member for the Electoral District of Port Phillip :—
“ I, Lauchlan Mackinnon, do declare and testify, That I am duly seised at Law or in Equity of an Estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money above all charges and incumbrances affecting the same, namely, at Law, of a house and land at Collingwood, near the City of Melbourne, in the occupation of Mr. Francis Bryant ; and in Equity of a certain farm on the Brighton Estate, in the County of Bourke, in the occupation of Thomas Walton : And that I have not collusively nor colorably 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.”

L. MACKINNON.

Dated at Sydney,
the 29th day of May, 1849.

- 2. Abstract of Revenues and Appropriation for 1848 :—The Colonial Secretary laid upon the Table the Abstract of the Revenues of the Colony of New South Wales, and of their Appropriation, for the year 1848, referred to in the Opening Speech of His Excellency the Governor—together with Statements 1 to 4 referred to in such Abstract. Ordered to be printed.
- 3. Expenditure under Schedules to 5 and 6 Victoria, chap. 76 :—The Colonial Secretary laid upon the Table 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 and 6 Victoria, chap. 76, for the year 1848. Ordered to be printed.
- 4. Draft Standing Orders :—The Colonial Secretary, on behalf of the Speaker as Chairman of the Committee appointed on the 17th instant to prepare such Standing Rules and Orders as shall appear best adapted for the orderly conduct of the business of this Council, brought up the Report, and laid upon the Table the Draft Standing Rules and Orders as prepared by the Committee. Ordered to be printed, and taken into consideration to-morrow.
- 5. Qualification Question :—Mr. Bowman presented a Petition from certain Electors of the Electoral District of Cook and Westmoreland, praying inquiry into the Qualification of the sitting Member for the said District. Petition read. Moved by Mr. Bowman, That the Petition be received. Debate ensued. Question put and passed. Moved by Mr. Bowman, That the Petition be printed. Debate ensued. Motion by leave withdrawn.
- 6. Withdrawal of Notices of Motion :—Mr. Donaldson withdrew from the Paper the motions standing in his name on the Notice Paper for to-day.
- 7. Sydney Railway Company :—Mr Cowper presented a Petition from certain Members of a Company lately formed under the name of the “ Sydney Railway Company,” praying the Council to pass a Bill to incorporate the said Company. Petition read and received. Mr. Cowper produced the *Government Gazette* of 13th and 17th April last, and of 25th May instant, containing notice of the intention of the Company to apply for such Bill.
- 8. Messages :—The following Messages from His Excellency the Governor received and read.

(1.) Immigration and Loan :—
CH^S. A. FITZ ROY,
Governor.

Message No. 14.

The Governor transmits to the Legislative Council the Despatches relating to Immigration which are referred to in the third paragraph of His Excellency's opening Address to the Council of the 17th instant, and in this series are included those acknowledging the Address of the Council to Her Most Gracious Majesty of the 29th of September, 1847, on the subject of the demand for labour in the Colony, and the Resolutions of the Council which accompanied the Report of the Select Committee on Immigration, dated 14th September 1847.

With

With these Despatches, there is also one enclosing a Memorandum of the mode of proceeding in raising Public Loans in England, which was promised in Earl Grey's Despatch of the 18th December 1847, transmitted to the Council with His Excellency's Message No. 21, of the 30th May 1848.

*Government House, Sydney,
29th May, 1849.*

Ordered to be printed, together with the accompanying Documents.

(2.) Dry Dock on Cockatoo Island.

CH^s. A. FITZ ROY,
Governor,

Message No. 15.

In accordance with the intimation conveyed in the 12th paragraph of His opening Address, the Governor transmits to the Legislative Council a copy of all the Correspondence relating to the formation of a Dry Dock on Cockatoo Island, which has taken place since the date of the Report on this subject, brought up by the Select Committee of the Council in September 1847.

*Government House, Sydney,
29th May, 1849.*

Ordered to be printed, together with the accompanying Documents, and taken into consideration to-morrow week.

(3.) Defences of Port Jackson.

CH^s. A. FITZ ROY,
Governor.

Message No. 16.

The Governor transmits to the Legislative Council copies of a Correspondence which has taken place with the Right Honorable the Secretary of State for the Colonies, on the subject of the Defences of Port Jackson.

2. In this Correspondence allusion is also made incidentally to the withdrawal of Troops from this Colony.

*Government House, Sydney,
29th May, 1849.*

Ordered to be printed, together with the accompanying Documents.

9. Postponement of Motion :—The Attorney General postponed the motion standing in his name on the Notice Paper for to-morrow, until Thursday week.
10. Sydney Railway Company Bill :—Mr. Cowper moved, pursuant to notice, That he have leave to bring in a Bill to Incorporate the Sydney Railway Company.
Question put and passed.
11. Renewal of Transportation :—Mr. Cowper withdrew the motion on this subject standing in his name on the Notice Paper for to-day, substituting Notice of Resolutions for Friday next.
12. Bathurst Roads :—Mr. Suttor moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House, any Correspondence that may have taken place between the Government and a Committee at Bathurst, called the Road Committee, relative to the proposal for forming a new line of Road from Hassan's Walls to Redbank; and also any Correspondence that may have taken place between the Government and the Surveyor General on the same subject.
Question put and passed; Address to be presented by the Speaker and the Colonial Secretary.
13. Applications for Convicts :—Mr. Wentworth 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 the total number of Convicts with tickets-of-leave, or Exiles with conditional pardons, applied for by employers desirous of hiring them on their "arrival."
Mr. Lamb moved, as an amendment, That after the word "arrival" at the end of the proposed Address, there be added the words "specifying the names of the parties so applying, and the number each applicant is willing to receive."
Question, with the said words so added, put and carried; Address to be presented by the Speaker and the Colonial Secretary.
14. Works of Art Bill :—Mr. Nichols having, pursuant to notice, moved for and obtained leave to bring in "A Bill for the better protection of Works of Art, and Scientific and "Literary Collections," Bill read a first time; ordered to be printed, and read a second time this day week.
15. City Magistrates Bill having been read a second time, on motion of Mr. Nichols, the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman reported no progress, and obtained leave to sit again to-morrow.
Council adjourned at Six o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, MAY 30.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 8, with Gunpowder Exportation Bill.
2. Consideration of Governor's Message No. 9, with Hawkers' and Pedlers' Bill.
3. Consideration of Governor's Message No. 10, with Aboriginal Natives' Evidence Bill.
4. Consideration of Governor's Message No. 11, with Lunatics' Bill.
5. Consideration of Governor's Message No. 12, with Courts of Requests and Petty Sessions Auction Bill.
6. Consideration of Governor's Message No. 13, with Party Processions Bill.
7. Administration of Criminal Law Bill; second reading.
8. Administration of Criminal Justice Bill; second reading.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HAMILTON 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 Copy of any Despatches on the subject of the testimony of the Aboriginal Natives of the Colonies, and the replies to them, from the year 1838 to the present time.
2. MR. HAMILTON 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 Return shewing how often, during the last two years, Courts of Petty Sessions have been held in each of the Squatting Districts, and how often the Local Commissioners have been present at these Courts.
3. 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,—
 - (1.) A Statement shewing the Annual Sum expended by the Government in the Improvement of the Streets of Sydney, for the ten years immediately preceding the Establishment of the City Corporation.
 - (2.) A Statement shewing the Average Number of Convicts employed on the Sydney Streets during the same period, with the Average Sum for their Rations and Clothing paid from the Military Chest.
 - (3.) A Statement shewing the Cost of the formation of the Tunnel,—of laying down Pipes,—and other Expenses for supplying the City of Sydney with Water, previously to the Establishment of the Corporation.
 - (4.) A Statement shewing the Cost of erecting the General Market, in George-street, defrayed from the Colonial Treasury
 - (5.) A Statement shewing the Cost of erecting the Corn and Hay Market, defrayed from the Colonial Treasury.
4. MR. BOWMAN to move, That the Petition from certain Electors of the Electoral District of Cook and Westmoreland, praying inquiry into the Qualification of the sitting Member for that District, presented by him yesterday, be referred, for investigation and report, to a Select Committee, to consist of the following Members, The Attorney General, Mr. Lamb, Mr. Wentworth, Mr. Lowe, Mr. Murray, Mr. Nichols, and Mr. Bowman.

ORDERS OF THE DAY :—

1. Consideration of Draft Standing Rules and Orders as reported by the Select Committee.
2. City Magistrates Bill; to be further considered in Committee.

FRIDAY, JUNE 1.

NOTICES OF MOTION :—

1. MR. DANGAR 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 the number of Male Adult Inmigrants who have arrived in the Colony since the resumption of Emigration on the 12th of November, 1847, distinguishing those landed in the Middle District from those landed at Port Phillip, and shewing the trade or calling of every such Immigrant in each Ship respectively.
2. MR. NICHOLS to move for leave to bring in a Bill for punishing Criminally Drivers of Stage Coaches and Carriages, for accidents occasioned by their wilful misconduct.
3. MR. COWPER to move, That the Bill to incorporate the Sydney Railway Company be read a first time.
4. MR. COWPER to move,—
 - (1.) That an Humble Address be presented to Her Majesty, respectfully setting forth that this Council, having maturely considered the Despatch from the Right Honorable the Secretary of State for the Colonies, No. 166, dated 3rd September, 1848, declines to accede to the proposal therein contained for the renewal of Transportation to this Colony, and strongly protests against the adoption of any measure by which the Colony would be degraded into a Penal Settlement. That this Council, therefore, would earnestly entreat Her Majesty to be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British Offenders may be Transported.
 - (2.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.

5. **Mr. COWPER** to move, That an Address be presented to His Excellency the Governor, requesting that the Public Roads within the County of Cumberland may be placed in Trusts, upon the same principle as has been successfully adopted with reference to the South Head Roads, by the Act 11 Victoria, No. 49.

TUESDAY, JUNE 5.

1. **Mr. MARTIN** to move, That an Address be presented to his Excellency the Governor, requesting that he will cause to be laid upon the Table of this House, Copies of all Correspondence which may have taken place between the Government and Messrs. Kerr and Suttor, respecting the leave of absence given to Mr. Kerr in the year 1847, and the appointment of Mr. Suttor in his place as Chief Commissioner of Insolvent Estates.
2. **Mr. NICHOLS** to move for leave to bring in a Bill to amend and consolidate the Laws relating to Seamen in the Merchant Service of the Colony of New South Wales, and for keeping a register of Seamen belonging to Ships registered in the said Colony.

ORDER OF THE DAY :—

1. Works of Art Bill ; second reading.

WEDNESDAY, JUNE 6.

NOTICES OF MOTION :—

1. **Mr. MARTIN** to move for leave to bring in a Bill to regulate Distresses for Rent.
2. **Mr. MARTIN** to move for leave to bring in a Bill to regulate proceedings before Justices of the Peace, in their Summary Jurisdiction.

ORDER OF THE DAY :—

1. Consideration of Governor's Message No. 15, respecting Dry Dock.

THURSDAY, JUNE 7.

NOTICE OF MOTION :—

1. **THE ATTORNEY GENERAL** to move for leave to bring in a Bill to consolidate and amend the Laws relating to the Licensing of Public Houses, and to Regulate the Sale of Fermented and Spirituous Liquors in New South Wales.

CHARLES NICHOLSON,

Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 30 MAY, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Railways:—The Colonial Secretary laid upon the Table the Correspondence and Despatches respecting the introduction of Railways into this Colony, referred to in the Opening Speech of His Excellency the Governor.
Ordered to be printed.
2. Draft Standing Orders:—Precedence over other business having been given to the Draft Rules and Orders for the orderly conduct of the business of the Council, 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 to-morrow.
3. Gunpowder Exportation Bill:—The Governor's Message No. 8, received with this Bill on the 22nd instant, having been read, on motion of the Colonial Secretary, Bill, intituled, "*A Bill to continue for a further limited time, an Act, intituled, 'An Act ' ' to regulate for a limited time, the exportation of Gunpowder and Warlike Stores ' ' from the Colony of New South Wales,'*" read a first time; to be read a second time this day week.
4. Postponements:—On motion of the Colonial Secretary the following Orders of the Day postponed until to-morrow:—
(1.) Consideration of Governor's Message No. 9, with Hawkers' and Pedlars' Bill.
(2.) Consideration of Governor's Message No. 10, with Aboriginal Natives' Evidence Bill.
5. Lunatics Bill:—The Governor's Message No. 11, received with this Bill on the 22nd instant, having been read, on motion of the Colonial Secretary, Bill, intituled, "*A Bill to amend the Law in respect to the safe custody of persons dangerously insane; and the care and maintenance of persons of unsound mind,*" read a first time; to be read a second time this day week.
6. Courts of Requests and Petty Sessions Auction Bill:—The Governor's Message No. 12, received with this Bill on the 22nd instant, having been read, on motion of the Colonial Secretary, Bill, intituled, "*A Bill to enable Bailiffs of the Courts of Requests and of Petty Sessions respectively, to sell by Auction without a License,*" read a first time; to be read a second time this day three weeks.
7. Party Processions Bill:—The Governor's Message No. 13, received with this Bill on the 22nd instant, having been read, on motion of the Colonial Secretary, Bill, intituled, "*A Bill to continue an Act, intituled, 'An Act to prevent for a limited time, Party ' ' Processions and certain other public exhibitions in the Colony of New South ' ' Wales,'*" read a first time; to be read a second time this day week.
8. Postponements:—On motion of the Colonial Secretary the following Orders of the Day postponed until to-morrow,—
(1.) Administration of Criminal Law Bill; second reading.
(2.) Administration of Criminal Justice Bill; second reading.
9. Aboriginal Natives' Evidence:—Mr. Hamilton 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, a Copy of any Despatches on the subject of the testimony of the Aboriginal Natives of the Colonies, and the replies to them, from the year 1838 to the present time.
Question put and passed; Address to be presented by the Speaker and the Colonial Secretary.
10. Petty Sessions beyond the Settled Districts:—Mr. Hamilton 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, a Return shewing how often during the last two years Courts of Petty Sessions have been held in each of the Squatting Districts, and how often the Local Commissioners have been present at these Courts.
Question put and passed; Address to be presented by the Speaker and the Colonial Secretary.

11. **City Corporation** :—Mr. Lowe 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,—
- (1.) A Statement shewing the Annual Sum expended by the Government in the Improvement of the Streets of Sydney, for the ten years immediately preceding the Establishment of the City Corporation.
 - (2.) A Statement shewing the Average Number of Convicts employed on the Sydney Streets during the same period, with the Average Sum for their Rations and Clothing paid from the Military Chest.
 - (3.) A Statement shewing the Cost of the formation of the Tunnel,—of laying down Pipes,—and other Expenses for supplying the City of Sydney with Water previously to the Establishment of the Corporation.
 - (4.) A Statement shewing the Cost of erecting the General Market, in George-street, defrayed from the Colonial Treasury.
 - (5.) A Statement shewing the Cost of erecting the Corn and Hay Market, defrayed from the Colonial Treasury.
- Question put and passed ; Address to be presented by the Speaker.
12. **Postponements** :—
- (1.) Mr. Bowman postponed the motion standing in his name on the Notice Paper for to-day, until to-morrow.
 - (2.) On motion of Mr. Nichols, the further consideration in Committee of the City Magistrates Bill postponed until to-morrow.
- Council adjourned at Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, MAY 31.

NOTICE OF MOTION :—

1. **MR. BOWMAN** to move, That the Petition from certain Electors of the Electoral District of Cook and Westmoreland, praying inquiry into the Qualification of the sitting Member for that District, presented by him on the 29th instant, be referred, for investigation and report, to a Select Committee, to consist of the following Members, The Attorney General, Mr. Lamb, Mr. Wentworth, Mr. Lowe, Mr. Murray, Mr. Nichols, and Mr. Bowman.

ORDERS OF THE DAY :—

1. Further consideration in Committee of Draft Standing Rules and Orders.
2. Consideration of Governor's Message No. 9, with Hawkers' and Pedlers' Bill.
3. Consideration of Governor's Message No. 10, with Aboriginal Natives' Evidence Bill.
4. Administration of Criminal Law Bill ; second reading.
5. Administration of Criminal Justice Bill ; second reading.
6. City Magistrates Bill ; to be further considered in Committee.

FRIDAY, JUNE 1.

NOTICES OF MOTION :—

1. **MR. DANGAR** 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 the number of Male Adult Immigrants who have arrived in the Colony since the resumption of Emigration on the 12th of November, 1847, distinguishing those landed in the Middle District from those landed at Port Phillip, and shewing the trade or calling of every such Immigrant in each Ship respectively.
2. **MR. NICHOLS** to move for leave to bring in a Bill for punishing Criminally Drivers of Stage Coaches and Carriages, for accidents occasioned by their wilful misconduct.
3. **MR. COWPER** to move, That the Bill to Incorporate the Sydney Railway Company be read a first time.
4. **MR. COWPER** to move,—
 - (1.) That an Humble Address be presented to Her Majesty, respectfully setting forth that this Council, having maturely considered the Despatch from the Right Honourable the Secretary of State for the Colonies, No. 166, dated 3rd September, 1848, declines to accede to the proposal therein contained for the renewal of Transportation to this Colony, and strongly protests against the adoption of any measure by which the Colony would be degraded into a Penal Settlement. That this Council, therefore, would earnestly entreat Her Majesty to be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British Offenders may be Transported.
 - (2.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.
5. **MR. COWPER** to move, That an Address be presented to His Excellency the Governor, requesting that the Public Roads within the County of Cumberland may be placed in Trusts, upon the same principle as has been successfully adopted with reference to the South Head Roads, by the Act 11 Victoria, No. 49.

TUESDAY,

TUESDAY, JUNE 5.

NOTICES OF MOTION :—

1. MR. MARTIN to move, That an Address be presented to his Excellency the Governor, requesting that he will cause to be laid upon the Table of this House, Copies of all Correspondence which may have taken place between the Government and Messrs. Kerr and Suttor, respecting the leave of absence given to Mr. Kerr in the year 1847, and the appointment of Mr. Suttor in his place as Chief Commissioner of Insolvent Estates.
2. MR. NICHOLS to move for leave to bring in a Bill to amend and consolidate the Laws relating to Seamen in the Merchant Service of the Colony of New South Wales, and for keeping a register of Seamen belonging to Ships registered in the said Colony.

ORDER OF THE DAY :—

1. Works of Art Bill ; second reading.

WEDNESDAY, JUNE 6.

NOTICES OF MOTION :—

1. MR. MARTIN to move for leave to bring in a Bill to regulate Distresses for Rent.
2. MR. MARTIN to move for leave to bring in a Bill to regulate proceedings before Justices of the Peace, in their Summary Jurisdiction.

ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 15, respecting Dry Dock.
2. Gunpowder Bill ; second reading.
3. Lunatics Bill ; second reading.
4. Party Processions Bill ; second reading.

THURSDAY, JUNE 7.

NOTICES OF MOTION :—

1. THE ATTORNEY GENERAL to move for leave to bring in a Bill to consolidate and amend the Laws relating to the Licensing of Public Houses, and to Regulate the Sale of Fermented and Spirituous Liquors in New South Wales.
2. MR. MARTIN to move, That a Select Committee of this House be appointed to inquire into and report upon the working of the Insolvent Act, and the mode in which the Insolvent Court has been conducted since its first establishment.

WEDNESDAY, JUNE 20.

ORDER OF THE DAY :—

1. Courts of Requests and Petty Sessions Auction Bill ; second reading.

CHARLES NICHOLSON,
Speaker.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent data collection procedures and the use of advanced analytical techniques to derive meaningful insights from the data.

3. The third part of the document focuses on the implementation of data-driven decision-making processes. It provides a detailed overview of the steps involved in identifying key performance indicators (KPIs) and using data to inform strategic decisions.

4. The fourth part of the document discusses the challenges and risks associated with data management and analysis. It offers practical advice on how to mitigate these risks and ensure the security and integrity of the data.

5. The fifth part of the document concludes by summarizing the key findings and recommendations. It stresses the importance of ongoing monitoring and evaluation to ensure that the data-driven approach remains effective and relevant over time.

6. The final part of the document provides a list of references and resources for further reading. It includes links to relevant articles, books, and online tools that can help organizations improve their data management and analysis capabilities.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 31 MAY, 1849.

- 1. Council met pursuant to adjournment ; the Speaker took the Chair.
Foreign Immigrants :—The following Message from His Excellency the Governor received and read :—

CH^S. A. FITZ ROY, Message No. 17.
Governor.

With reference to the Correspondence laid before the Legislative Council in the Session of 1848, relative to the importation on Bounty of a limited number of Foreign Laborers into New South Wales, the Governor transmits to the Council copies of two Despatches received by His Excellency from the Right Honorable the Secretary of State for the Colonies, on the subject of the Emigrants dispatched from Hamburgh by Mr. Deluis, a Merchant of Bremen.

Government House, Sydney,
31st May, 1849.

Ordered to be printed, together with the accompanying Documents.

- 2. Applications for Convicts :—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted, on the 29th instant, on motion of Mr. Wentworth,—together with an explanatory letter from the Principal Superintendent of Convicts.

Ordered to be printed.

- 3. Aboriginal Natives' Evidence :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table a letter from Mr. Walker, Commandant of Native Police, respecting the testimony of the Aboriginal Natives.

Ordered to be printed.

- 4. Qualification Question :—Mr. Bowman moved, pursuant to notice, That the Petition from certain Electors of the Electoral District of Cook and Westmoreland, praying inquiry into the Qualification of the sitting Member for that District, presented by him on the 29th instant, be referred, for investigation and report, to a Select Committee, to "consist" of the following Members—The Attorney General, Mr. Lamb, Mr. Wentworth, Mr. Lowe, Mr. Murray, Mr. Nichols, and Mr. Bowman.

Debate ensued.

On the request of Mr. Lamb, Strangers ordered to withdraw, and withdrew accordingly. Strangers re-admitted.

Debate continued.

Moved as an amendment by Mr. Lamb, That all the words following the word "consist" be omitted, and the words "of six Members (exclusive of the Mover) to "be nominated by ballot" inserted in their place.

Debats continued.

Question, with the proposed amendment, put.

Council divided.

Ayes, 19.

The Colonial Secretary,
The Attorney General,
The Colonial Treasurer,
Mr. Lamb,
Mr. Mackinnon,
Mr. Lowe,
The Auditor General,
Mr. Hamilton,
Mr. Oakes,
Mr. Bowman,
Mr. J. Macarthur,
Mr. Murray,
Mr. Suttor,
The Collector of Customs,
Mr. Allen,
Mr. Parker,
Mr. Icely,
Mr. W. Macarthur,
Mr. Cowper, (Teller)

Noes, 6.

Mr. Fitzgerald,
Mr. Martin,
Mr. Wentworth,
Mr. Macintyre,
Mr. Dangar,
Mr. Nichols, (Teller.)

The Council then proceeded to the ballot, and the following Members were declared to have the greatest number of votes, and to be, with the Mover, the Committee duly appointed, viz :—

Mr. Bowman,	
Mr. Cowper,	Mr. Wentworth,
Mr. Lowe,	Mr. Murray,
Mr. Mackinnon,	Mr. Lamb.

5. Draft Standing Rules and Orders :—On motion of the Colonial Secretary the further consideration in Committee of the Draft Standing Rules and Orders postponed until to-morrow.
6. Postponements :—On motion of the Colonial Secretary, the following Orders of the Day postponed until Wednesday next.
 - (1.) Consideration of Governor's Message No. 9, with Hawkers' and Pedlars' Bill.
 - (2.) Consideration of Governor's Message No. 10, with Aboriginal Natives' Evidence Bill.
 - (3.) Administration of Criminal Law Bill; second reading.
 - (4.) Administration of Criminal Justice Bill; second reading.
7. City Magistrates Bill :—On motion of Mr. Nichols the further consideration of this Bill in Committee postponed until to-morrow.
Council adjourned at a quarter after Six o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JUNE 1.

NOTICES OF MOTION :—

1. MR. DANGAR 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 the number of Male Adult Immigrants who have arrived in the Colony since the resumption of Emigration on the 12th of November, 1847, distinguishing those landed in the Middle District from those landed at Port Phillip, and shewing the trade or calling of every such Immigrant in each Ship respectively.
2. MR. NICHOLS to move for leave to bring in a Bill for punishing Criminally Drivers of Stage Coaches and Carriages, for accidents occasioned by their wilful misconduct.
3. MR. COWPER to move, That the Bill to Incorporate the Sydney Railway Company be read a first time.
4. MR. COWPER to move,—
 - (1.) That an Humble Address be presented to Her Majesty, respectfully setting forth that this Council, having maturely considered the Despatch from the Right Honorable the Secretary of State for the Colonies, No. 166, dated 3rd September, 1848, declines to accede to the proposal therein contained for the renewal of Transportation to this Colony, and strongly protests against the adoption of any measure by which the Colony would be degraded into a Penal Settlement. That this Council, therefore, would earnestly entreat Her Majesty to be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British Offenders may be Transported.
 - (2.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.
5. MR. COWPER to move, That an Address be presented to His Excellency the Governor, requesting that the Public Roads within the County of Cumberland may be placed in Trusts, upon the same principle as has been successfully adopted with reference to the South Head Roads, by the Act 11 Victoria, No. 49.

ORDERS OF THE DAY :—

1. Further consideration in Committee of Draft Standing Rules and Orders.
2. City Magistrates Bill; to be further considered in Committee.

TUESDAY, JUNE 5.

NOTICES OF MOTION :—

1. MR. MARTIN to move, That an Address be presented to his Excellency the Governor, requesting that he will cause to be laid upon the Table of this House, Copies of all Correspondence which may have taken place between the Government and Messrs. Kerr and Suttor, respecting the leave of absence given to Mr. Kerr in the year 1847, and the appointment of Mr. Suttor in his place as Chief Commissiouer of Insolvent Estates.
2. MR. NICHOLS to move for leave to bring in a Bill to amend and consolidate the Laws relating to Seamen in the Merchant Service of the Colony of New South Wales, and for keeping a register of Seamen belonging to Ships registered in the said Colony.

ORDER OF THE DAY :—

1. Works of Art Bill; second reading.

WEDNESDAY,

WEDNESDAY, JUNE 6.

NOTICES OF MOTION :—

1. MR. MARTIN to move for leave to bring in a Bill to regulate Distresses for Rent.
2. MR. MARTIN to move for leave to bring in a Bill to regulate proceedings before Justices of the Peace, in their Summary Jurisdiction.

ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 15, respecting Dry Dock.
2. Gunpowder Bill ; second reading.
3. Lunatics Bill ; second reading.
4. Party Processions Bill ; second reading.
5. Consideration of Governor's Message No. 9, with Hawkers' and Pedlers' Bill.
6. Consideration of Governor's Message No. 10, with Aboriginal Natives' Evidence Bill.
7. Administration of Criminal Law Bill ; second reading.
8. Administration of Criminal Justice Bill ; second reading.

THURSDAY, JUNE 7.

NOTICES OF MOTION :—

1. THE ATTORNEY GENERAL to move for leave to bring in a Bill to consolidate and amend the Laws relating to the Licensing of Public Houses, and to Regulate the Sale of Fermented and Spirituous Liquors in New South Wales.
2. MR. MARTIN to move, That a Select Committee of this House be appointed to inquire into and report upon the working of the Insolvent Act, and the mode in which the Insolvent Court has been conducted since its first establishment.

WEDNESDAY, JUNE 20.

ORDER OF THE DAY :—

1. Courts of Requests and Petty Sessions Auction Bill ; second reading.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 1 JUNE, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Yass School Ground:—Mr. Murray presented a Petition from the Trustees of the Parsonage, Church, and School Ground at Yass, in connexion with the Church of England, praying the Council to pass a Bill to enable them to sell the ground allotted for the School, with a view to purchase a more advantageous site with the proceeds.
 Petition read at length, and received.
2. *Darlinghurst Gaol*:—Mr. Cowper presented a Petition from James Alexander, lately a Turnkey in Her Majesty's Gaol at Darlinghurst, praying inquiry into the discipline and security of the said Gaol.
 Petition read, and received.
3. *Gas Company*:—Mr. Darvall presented a Petition from George Barney and James Mitchell, Directors and Shareholders of the Australian Gas Light Company, praying the Council to pass a Bill to amend the Acts relating to the said Company.
 Petition read, and received.
 Mr. Darvall then produced the *Government Gazette* of 11th May instant containing notice of the intention to apply for such Bill.
4. *Draft Standing Rules and Orders*.—Precedence over other business having been given to the Draft Standing Rules and Orders for the orderly conduct of the business of the Council, pursuant to the understanding come to yesterday, the Council, on motion of the Colonial Secretary, resolved itself into a Committee of the whole for the further consideration thereof.
 The Chairman having reported the Standing Rules and Orders as agreed to in Committee, they were adopted by the Council, on motion of the Colonial Secretary, and ordered to be engrossed and laid before His Excellency the Governor for approval, pursuant to the requirement of the 27th section of the Act of Parliament, 5 and 6 Victoria, chap. 76.
5. *Immigration*:—Mr. Dangar 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 the number of Male Adult Immigrants who have arrived in the Colony since the resumption of Emigration on the 12th of November, 1847, distinguishing those landed in the Middle District from those landed at Port Phillip, and shewing the trade or calling of every such Immigrant in each Ship respectively.
 Debate ensued.
 Motion by leave withdrawn.
6. *Coach Drivers Punishment Bill*:—Mr. Nichols having, pursuant to notice, moved for and obtained leave to bring in "*A Bill for punishing Criminally Drivers of Stags Coaches and Carriages, for accidents occasioned by their wilful misconduct,*" Bill read a first time; ordered to be printed, and read a second time this day week.
7. *Sydney Railway Bill*:—Mr. Cowper, moved, pursuant to notice, That this Bill be now read a first time.
 Question put and passed; and Bill, intituled, "*A Bill to Incorporate a Company to be called the Sydney Railway Company,*" read a first time.
8. *Renewal of Transportation*:—Mr. Cowper moved, pursuant to notice,—
 - (1.) That an Humble Address be presented to Her Majesty, respectfully setting forth that this Council, having maturely considered the Despatch from the Right Honorable the Secretary of State for the Colonies, No. 166, dated 3rd September, 1848, declines to accede to the proposal therein contained for the renewal of Transportation to this Colony, and strongly protests against the adoption of any measure by which the Colony would be degraded into a Penal Settlement. That this Council, therefore, would earnestly entreat Her Majesty to be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British Offenders may be Transported.
 - (2.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.
 Question put and passed; Address to be presented by the Speaker, Mr. Cowper, and Mr. Mackinnon.

9. Roads in the County of Cumberland :—Mr. Cowper moved, pursuant to notice, That an Address be presented to His Excellency the Governor, requesting that the Public Roads within the County of Cumberland may be placed in Trusts, upon the same principle as has been successfully adopted with reference to the South Head Roads, by the Act 11 Victoria, No. 49.
Debate ensued.
Question put and passed; Address to be presented by the Speaker.
10. City Magistrates Bill :—On motion of Mr. Nichols, 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, as so amended, ordered to be engrossed, and read a third time this day week.
Council adjourned at Eight o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JUNE 5.

NOTICES OF MOTION :—

1. MR. MARTIN to move, That an Address be presented to his Excellency the Governor, requesting that he will cause to be laid upon the Table of this House, Copies of all Correspondence which may have taken place between the Government and Messrs. Kerr and Suttor, respecting the leave of absence given to Mr. Kerr in the year 1847, and the appointment of Mr. Suttor in his place as Chief Commissioner of Insolvent Estates.
2. MR. NICHOLS to move for leave to bring in a Bill to amend and consolidate the Laws relating to Seamen in the Merchant Service of the Colony of New South Wales, and for keeping a register of Seamen belonging to Ships registered in the said Colony.
3. MR. COWPER to move that a Committee be appointed to inquire into and report on the Discipline and Security of the Gaol at Darlinghurst.
4. MR. DARVALL to move for leave to bring in a Bill to amend the Gas Company's Acts.
5. MR. COWPER to move, That the Sydney Railway Bill be referred for consideration and report to a Select Committee, to consist of The Attorney General, The Colonial Secretary, Mr. J. Macarthur, Mr. Murray, The Speaker, Mr. Lamb, Mr. Suttor, and Mr. Cowper.

ORDER OF THE DAY :—

1. Works of Art Bill; second reading.

WEDNESDAY, JUNE 6.

NOTICES OF MOTION :—

1. MR. MARTIN to move for leave to bring in a Bill to regulate Distresses for Rent.
2. MR. MARTIN to move for leave to bring in a Bill to regulate proceedings before Justices of the Peace, in their Summary Jurisdiction.

ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 15, respecting Dry Dock.
2. Gunpowder Bill; second reading.
3. Lunatics Bill; second reading.
4. Party Processions Bill; second reading.
5. Consideration of Governor's Message No. 9, with Hawkers' and Pedlers' Bill.
6. Consideration of Governor's Message No. 10, with Aboriginal Natives' Evidence Bill.
7. Administration of Criminal Law Bill; second reading.
8. Administration of Criminal Justice Bill; second reading.

THURSDAY, JUNE 7.

NOTICES OF MOTION :—

1. THE ATTORNEY GENERAL to move for leave to bring in a Bill to consolidate and amend the Laws relating to the Licensing of Public Houses, and to Regulate the Sale of Fermented and Spirituous Liquors in New South Wales.
2. MR. MARTIN to move, That a Select Committee of this House be appointed to inquire into and report upon the working of the Insolvent Act, and the mode in which the Insolvent Court has been conducted since its first establishment.

FRIDAY

FRIDAY, JUNE 8.

NOTICE OF MOTION :—

1. MR. DANGAR to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to extend the provisions of Clauses 16 and 22 of the Government Regulations of the 29th March 1848 to the Public generally,— such Regulations now giving a pre-emptive right to the Leases of certain Waste Lands of the Crown to a special class of persons only—which, in the opinion of this Council, is subversive of the public interest, and partial and oppressive towards the community.

ORDERS OF THE DAY :—

1. Coach Drivers Punishment Bill ; second reading.
2. City Magistrates Bill ; third reading.

WEDNESDAY, JUNE 20.

1. Courts of Requests and Petty Sessions Auction Bill ; second reading.

CHARLES NICHOLSON,
Speaker.



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VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 5 JUNE, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Approval of Standing Rules and Orders :—The Speaker reported that His Excellency the Governor had been pleased to approve the Standing Rules and Orders passed by the Council.
2. Renewal of Transportation :—The Speaker also reported that he had presented to the Governor the Council's Address to His Excellency together with the Council's Address to Her Majesty the Queen declining to accede to the proposal for the renewal of Transportation to this Colony contained in Earl Grey's Despatch, No. 166, of the 3rd September, 1848, and praying Her Majesty to revoke the Order in Council by which the Colony has been again made a place to which British offenders may be transported.
3. Postponement of Motion :—The Attorney General postponed the motion which stands in his name first on the Paper for Thursday next, until Thursday week.
4. Vaccine Institution :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Report for the year 1848 from the Medical Officer in charge of the Vaccine Institution.
Ordered to be printed.
5. Report from Denominational School Board :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Report from the Denominational School Board for the year 1848, together with sundry Returns, and a Letter from the Chairman of the Board.
Report and Letter ordered to be printed.
6. Messages :—The following Messages from His Excellency the Governor received and read.

(1.) General Cemetery Bill.

CH^s. A. FITZ ROY,
Governor.

Message No. 18.

The Governor transmits to the Legislative Council the Copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, intimating the allowance by Her Majesty of the Act passed during the Session of 1847, for the establishment of a General Cemetery in the neighbourhood of Sydney.

2. The Governor also forwards a Copy of the Protest of the Lord Bishop of Sydney which is referred to in Earl Grey's Despatch.

*Government House, Sydney,
5th June, 1849.*

Ordered to be printed, together with the accompanying Documents.

(2.) Steam Communication with England :—

CH^s. A. FITZ ROY,
Governor.

Message No. 19.

The Governor transmits to the Legislative Council the copy of a Despatch from the Right Honorable the Secretary of State, in reply to one in which His Excellency reported the Resolutions adopted by the Council on the 16th June 1848, with respect to Steam Communication with England.

2. The previous Despatch to which reference is herein made by Earl Grey was laid before the Council on the 22nd ultimo.

*Government House, Sydney,
5th June, 1849.*

Ordered to be printed, together with the accompanying Despatch.

(3.) Compensation for Abolished Offices, (1842-3) :—

CH^s. A. FITZ ROY,
Governor.

Message No. 20.

In their Address of the 29th September 1846, the Legislative Council requested the Governor to place on the Estimates a sum not exceeding one year's Salary in each case, for the purpose of compensating the public Officers holding Office under the Colonial Government only, whose Offices were abolished in the years 1842 and 1843.

2. The Governor, whilst expressing his regret that the terms of Lord Stanley's Despatch on the subject prohibited him from complying with the wishes of the Council, expressed an intention of submitting the matter for the re-consideration of Her Majesty's Government.

3. The Governor now transmits to the Council the Copy of a Despatch from the Right Honorable the Secretary of State, stating that His Lordship does not find any sufficient grounds assigned for a departure from the course adopted by Lord Stanley, as explained in his Despatch of 8th December 1844.

*Government House, Sydney,
5th June, 1849.*

Ordered to be printed, together with the accompanying Despatch.

(4.) Moreton Bay Bill:—

CH^S. A. FITZ ROY,

Governor.

Message No. 21.

In accordance with the provisions of the Act for the Government of New South Wales, 5th and 6th Victoria, Cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill "To constitute Moreton Bay a Warehousing Port."

2. This Bill is submitted for the consideration of the Council in compliance with a suggestion contained in a Despatch from the Secretary of State (of which a copy is annexed) in reply to a Petition from certain Inhabitants of the District praying that Moreton Bay should be constituted a Free Warehousing Port.

*Government House, Sydney,
5th June, 1849.*

Ordered to be printed, together with the accompanying Despatch and Bill, and taken into consideration to-morrow week.

7. Postponement of Motion:—Mr. Nichols postponed the Motion standing in his name second on the Notice Paper for to-day, until Tuesday next.
8. Leave of absence to Chief Commissioner of Insolvent Estates:—Mr. Martin moved, pursuant to Notice, That an Address be presented to his Excellency the Governor, requesting that he will cause to be laid upon the Table of this House, Copies of all Correspondence which may have taken place between the Government and Messrs. Kerr and Suttor, respecting the leave of absence given to Mr. Kerr in the year 1847, and the appointment of Mr. Suttor in his place as Chief Commissioner of Insolvent Estates.
Debate ensued.
Question put and passed; Address to be presented by the Speaker.
9. Withdrawal of Notices of Motion:—
(1.) Mr. Cowper withdrew the Motion standing in his name third on the Notice Paper for to-day—substituting Notice in order for to-morrow.
(2.) Mr. Darvall withdrew the Motion standing in his name fourth on the Notice Paper for to-day—substituting Notice in order for Thursday next.
10. Sydney Railway Bill:—Mr. Cowper moved, pursuant to Notice, That the Sydney Railway Bill be referred for consideration and report to a Select Committee, to consist of The Attorney General, The Colonial Secretary, Mr. J. Macarthur, Mr. Murray, The Speaker, Mr. Lamb, Mr. Suttor, and Mr. Cowper.
Question put and passed.
11. Works of Art Bill, having been read a second time, on motion of Mr. Nichols, the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with amendments, the Council adopted the Bill with its amendments, and ordered it to be engrossed as so amended, and read a third time this day week.
Council adjourned at Seven o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JUNE 6.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. THE COLONIAL SECRETARY to move the re-appointment of the Standing Orders Committee, consisting of The Speaker, Mr. Cowper, The Colonial Secretary, The Attorney General, Mr. Parker, Mr. Lowe, and Mr. James Macarthur.

ORDERS OF THE DAY:—

1. Consideration of Governor's Message No. 15, respecting Dry Dock.
2. Gunpowder Bill; second reading.
3. Lunatics Bill; second reading.
4. Party Processions Bill; second reading.
5. Consideration of Governor's Message No. 9, with Hawkers' and Pedlers' Bill.
6. Consideration of Governor's Message No. 10, with Aboriginal Natives' Evidence Bill.
7. Administration of Criminal Law Bill; second reading.
8. Administration of Criminal Justice Bill; second reading.

OTHER

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MARTIN to move for leave to bring in a Bill to regulate Distresses for Rent.
2. MR. MARTIN to move for leave to bring in a Bill to regulate proceedings before Justices of the Peace, in their Summary Jurisdiction.
3. MR. COWPER to move, That a Select Committee be appointed to inquire into the discipline and security of the Darlinghurst Gaol; and that such Committee (exclusive of the Mover) consist of The Speaker, The Attorney General, Mr. Lowe, Mr. Allen, Mr. William Macarthur, Mr. Bowman, Mr. Nichols, and Mr. Mackinnon.
4. MR. MURRAY to move, That the Governor's Message No. 5, and the accompanying Essays on the disease commonly called Catarrh in Sheep, be referred to a Select Committee, consisting (exclusive of the Mover) of The Speaker, Mr. Cowper, Mr. Wentworth, and Mr. James Macarthur,
5. MR. COWPER to move, the appointment of a Library Committee, to consist of The Speaker, Mr. Cowper, The Colonial Secretary, The Attorney General, Mr. Parker, Mr. Lowe, and Mr. James Macarthur.

THURSDAY, JUNE 7.

NOTICES OF MOTION :—

1. MR. MARTIN to move, That a Select Committee of this House be appointed to inquire into and report upon the working of the Insolvent Act, and the mode in which the Insolvent Court has been conducted since its first establishment.
2. MR. MURRAY to move, That the Standing Orders relating to the introduction of Private Bills be suspended.
3. MR. MURRAY to move for leave to bring in a Bill to enable the Trustees of the Church and School Ground at Yass, to sell the School Lands in that Town.
4. MR. DARVALL to move the suspension of the Standing Rules and Orders relating to the introduction of Private Bills.
5. MR. DARVALL to move for leave to bring in a Bill to amend the Gas Company's Acts.

FRIDAY, JUNE 8.

NOTICE OF MOTION :—

1. MR. DANGAR to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to extend the provisions of Clauses 16 and 22 of the Government Regulations of the 29th March 1848 to the Public generally,—such Regulations now giving a pre-emptive right to the Leases of certain Waste Lands of the Crown to a special class of persons only—which, in the opinion of this Council, is subversive of the public interest, and partial and oppressive towards the community.

ORDERS OF THE DAY :—

1. Coach Drivers Punishment Bill; second reading.
2. City Magistrates Bill; third reading.

TUESDAY, JUNE 12.

NOTICES OF MOTION :—

1. MR. LOWE to move, That a Select Committee be appointed to inquire into the management of the Waste Lands of the Crown, the appropriation of the Revenue derived therefrom, and the influence of such management and appropriation upon the Colonization of the Territory; the Committee to consist of eight Members, exclusive of the Mover, viz:—Mr. Cowper, The Colonial Secretary, Mr. Hamilton, Mr. J. Macarthur, The Speaker, Mr. Murray, and Mr. Lamb.
2. MR. NICHOLS to move for leave to bring in a Bill to amend and consolidate the Laws relating to Seamen in the Merchant Service of the Colony of New South Wales, and for keeping a register of Seamen belonging to Ships registered in the said Colony.
3. MR. LAMB to move, That an Address be presented to His Excellency the Governor, requesting that copies may be laid upon the Table of the House, of the Correspondence which has taken place between the Principal Superintendent of Convicts and the Benchmen of Magistrates or individuals in reference to the reception or distribution of Convicts expected to arrive in the Colony, upon which the Return recently laid upon the Table of this House was based.

ORDERS OF THE DAY :—

1. Works of Art Bill; third reading.

WEDNESDAY, JUNE 13.

1. Consideration of Governor's Message No. 21 with Moreton Bay Bill.

THURSDAY

THURSDAY, JUNE 14.

NOTICES OF MOTION :—

1. **THE ATTORNEY GENERAL** to move for leave to bring in a Bill to consolidate and amend the Laws relating to the Licensing of Public Houses, and to Regulate the Sale of Fermented and Spirituous Liquors in New South Wales.
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FRIDAY, JUNE 15.

1. **MR. NICHOLS** to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
 2. **MR. NICHOLS** to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.
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WEDNESDAY, JUNE 20.

ORDER OF THE DAY :—

1. Courts' of Requests and Petty Sessions Auction Bill ; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 6 JUNE, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Standing Orders Committee:—The Colonial Secretary moved, pursuant to notice, that the Standing Orders Committee, consisting of The Speaker, Mr. Cowper, The Colonial Secretary, The Attorney General, Mr. Parker, Mr. Lowe, and Mr. James Macarthur, be re-appointed.
Question put and passed.
2. Postponement:—On motion of the Colonial Secretary the consideration of the Governor's Message No. 15, respecting the Dry Dock, postponed until this day week.
3. Gunpowder 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 amendment, the Council adopted the Bill as so reported, and ordered it to be engrossed, and read a third time this day week.
4. Lunatics 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 to-morrow.
5. Party Processions Bill, on motion of the Colonial Secretary, read a second time.
Moved by the Colonial Secretary, 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.
Motion by leave withdrawn.
Bill ordered to be committed on this day week.
6. Hawkers' and Pedlers' Bill:—On motion of the Attorney General, the Governor's Message No. 9, received with this Bill on 22nd ultimo, read.
Moved by the Colonial Secretary, that the Bill accompanying His Excellency's Message be now read a first time.
Debate ensued.
Question put and passed; and Bill, intituled, "*A Bill to repeal the Laws relating to Hawkers and Pedlers in the Colony of New South Wales, and to substitute other provisions in lieu thereof,*" read a first time; to be read a second time this day week.
7. Aboriginal Natives' Evidence Bill:—The Governor's Message No. 10, received with this Bill on the 22nd ultimo, having been read, on motion of the Attorney General, the Bill accompanying His Excellency's Message, intituled, "*A Bill to allow the Aboriginal Natives of New South Wales to be received as competent Witnesses in Criminal Proceedings,*" read a first time; to be read a second time this day week.
8. Administration of Criminal Law Bill:—Moved by the Attorney General, that this Bill be now read a second time.
Debate ensued.
Question put and passed; and Bill read a second time;—
Whereupon, on motion of the Attorney General, the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman reported progress, and obtained leave to sit again to-morrow.
9. Postponements:—
(1.) Administration of Criminal Justice Bill; second reading postponed, on motion of the Attorney General, until to-morrow.
(2.) Mr. Martin postponed the motions standing in his name first and second on the Notice Paper for to-day, until this day week.
10. Darlinghurst Gaol:—Mr. Cowper moved, pursuant to notice, That a Select Committee be appointed to inquire into the discipline and security of the Darlinghurst Gaol; and that such Committee (exclusive of the Mover) consist of The Speaker, The Attorney General, Mr. Lowe, Mr. Allen, Mr. William Macarthur, Mr. Bowman, Mr. Nichols, and Mr. Mackinnon.
Question put and passed.
11. Essays on Catarrh in Sheep:—Mr. Murray moved, pursuant to notice, That the Governor's Message No. 5, and the accompanying Essays on the disease commonly called Catarrh in Sheep, be referred to a Select Committee, consisting (exclusive of the Mover) of The Speaker, Mr. Cowper, Mr. Wentworth, and Mr. James Macarthur.
Question put and passed.
12. Library Committee:—Mr. Cowper moved, pursuant to notice, That there be appointed a Library Committee, to consist of The Speaker, Mr. Cowper, The Colonial Secretary, The Attorney General, Mr. Parker, Mr. Lowe, and Mr. James Macarthur.
Question put and passed.
Council adjourned at a quarter after Six o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JUNE 7.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Lunatics Bill ; to be further considered in Committee.
2. Administration of Criminal Law Bill ; to be further considered in Committee.
3. Administration of Criminal Justice Bill ; second reading.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MARTIN to move, That a Select Committee of this House be appointed to inquire into and report upon the working of the Insolvent Act, and the mode in which the Insolvent Court has been conducted since its first establishment.
2. MR. DARVALL to move the suspension of the Standing Rules and Orders relating to the introduction of Private Bills.
3. MR. DARVALL to move for leave to bring in a Bill to amend the Gas Company's Acts.
4. MR. MURRAY to move, That the Standing Orders relating to the introduction of Private Bills be suspended.
5. MR. MURRAY to move for leave to bring in a Bill to enable the Trustees of the Church and School Ground at Yass, to sell the School Lands in that Town.

FRIDAY, JUNE 8.

NOTICE OF MOTION :—

1. MR. DANGAR to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to extend the provisions of Clauses 16 and 22 of the Government Regulations of the 29th March, 1848, to the Public generally,—such Regulations now giving a pre-emptive right to the Leases of certain Waste Lands of the Crown to a special class of persons only—which, in the opinion of this Council, is subversive of the public interest, and partial and oppressive towards the community.

ORDERS OF THE DAY :—

1. Coach Drivers Punishment Bill ; second reading.
2. City Magistrates Bill ; third reading.

TUESDAY, JUNE 12.

NOTICES OF MOTION :—

1. MR. LOWE to move, That a Select Committee be appointed to inquire into the management of the Waste Lands of the Crown, the appropriation of the Revenue derived therefrom, and the influence of such management and appropriation upon the Colonization of the Territory ; the Committee to consist of eight Members, exclusive of the Mover, viz :—Mr. Cowper, The Colonial Secretary, Mr. Hamilton, Mr. J. Macarthur, The Speaker, Mr. Murray, and Mr. Lamb.
2. MR. NICHOLS to move for leave to bring in a Bill to amend and consolidate the Laws relating to Seamen in the Merchant Service of the Colony of New South Wales, and for keeping a register of Seamen belonging to Ships registered in the said Colony.
3. MR. LAMB to move, That an Address be presented to His Excellency the Governor, requesting that copies may be laid upon the Table of the House, of the Correspondence which has taken place between the Principal Superintendent of Convicts and the Benches of Magistrates or individuals in reference to the reception or distribution of Convicts expected to arrive in the Colony, upon which the Return recently laid upon the Table of this House was based.
4. MR. OAKES 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, any Correspondence that may have taken place between the Government and the District Council of Parramatta, relative to the supplying the Inhabitants of the Town and District with pure Water.

ORDER OF THE DAY :—

1. Works of Art Bill ; third reading.

WEDNESDAY, JUNE 13.

NOTICES OF MOTION :—

1. MR. MARTIN to move for leave to bring in a Bill to regulate Distresses for Rent.
2. MR. MARTIN to move for leave to bring in a Bill to regulate proceedings before Justices of the Peace, in their Summary Jurisdiction.

ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 21 with Morston Bay Bill.
2. Consideration of Governor's Message No. 15, respecting Dry Dock.
3. Gunpowder Bill ; third reading.
4. Party Processions Bill ; to be considered in Committee.
5. Hawkers' and Pedlers' Bill ; second reading.
6. Aboriginal Natives' Evidence Bill ; second reading.

THURSDAY,

THURSDAY, JUNE 14.

NOTICES OF MOTION:—

1. THE ATTORNEY GENERAL to move for leave to bring in a Bill to consolidate and amend the Laws relating to the Licensing of Public Houses, and to Regulate the Sale of Fermented and Spirituous Liquors in New South Wales.

FRIDAY, JUNE 15.

1. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
2. MR. NICHOLS to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.

WEDNESDAY, JUNE 20.

ORDER OF THE DAY:—

1. Courts of Requests and Petty Sessions Auction Bill; second reading.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

THURSDAY, 7 JUNE, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Roads in the County of Cumberland :—The following Message from His Excellency the Governor received and read :—

CH^s. A. FITZ ROY,
Governor.

Message No. 22.

In reply to the Address of the Legislative Council of the 1st instant, requesting that the Public Roads in the County of Cumberland may be placed under Trusts, upon the same principle as has been adopted with reference to the South Head Roads by the Act 11 Victoria, No. 49, the Governor begs to inform the Council that immediate steps will be taken to obtain the necessary preliminary information on the subject with the view to the preparation of a Bill to be submitted for the consideration of the Council, in order to enable the Government to give effect to their recommendation.

*Government House, Sydney,
7th June, 1849.*

Ordered to be printed.

2. Renewal of Transportation :—Mr. Macintyre presented a Petition from certain Inhabitants of the Police District of Scone, in Public Meeting assembled, against the renewal of Transportation.
Petition received.
3. Aboriginal Natives' Evidence :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on the 30th ultimo, on motion of Mr. Hamilton:
Ordered to be printed.
4. Publicans Licensing Bill :—The Attorney General presented a Petition from Richard Sadlier, Honorary President of the Total Abstinence Society of the Town and District of Liverpool, praying the introduction into the proposed Bill for regulating the licensing of Public Houses, of certain provisions to restrain intemperance.
Petition received.
5. Lunatics Bill :—On motion of the Attorney General, 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, the Council adopted the Bill as so reported, and ordered it to be engrossed as amended, and read a third time on Wednesday next.
6. Administration of Criminal Law Bill :—On motion of the Attorney General, 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,—
Moved, That the Council do adopt the Bill as so reported.
Moved, as an amendment by the Attorney General, That the title of the Bill be altered to stand "*A Bill to provide for the reservation and decision of points of Law in Criminal Cases.*"
Question, That the title be so altered, put and passed.
Original question, as so amended, put and passed ; and Bill, as amended, ordered to be engrossed, and read a third time this day week.
7. Administration of Criminal Justice Bill, having been read a second time, on motion of the Attorney General, the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
8. Member sworn :—John Dickson, Esquire, took the Oath, and, having handed to the Clerk at the Table the following Declaration of his Qualification, took his Seat as a Member for the Electoral District of Port Phillip :—

Sydney, 7th June, 1849.

" I, John Dickson, 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 and tenements in the County of Grant in the District of Port Phillip and Colony of New South Wales, of the yearly value of one hundred pounds and upwards sterling money above all charges and incumbrances affecting the same, namely of three dwelling Houses in the Town of Geelong, in the occupation respectively of Joseph Pelly, Thomas Campbell, and Richard Forrest : And that I have not collusively or colorably obtained a title to or become possessed of the said lands and tenements or any part thereof for the purpose of qualifying me or enabling me to be returned a Member of the Legislative Council of New South Wales."

JOHN DICKSON,

9. Postponements :—
 (1.) Mr. Martin postponed the motion standing in his name first on the Notice Paper for to-day, until this day week.
 (2.) The Attorney General postponed the motions standing in Mr. Darvall's name second and third on the Notice Paper for to-day, until Wednesday next.
10. Suspension of Standing Rules and Orders :—Mr. Murray moved, pursuant to notice, That the Standing Rules and Orders relating to Private Bills be suspended, in order to his moving for leave to bring in a Bill to enable the Trustees of the Church and School Ground at Yass to sell the School Lands in that Town
 Motion by leave withdrawn, on suggestion that the Mover should ascertain whether notice has been given in the *Government Gazette* of the intention to apply for the Bill. Council adjourned at Five o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JUNE 8.

NOTICES OF MOTION :—

1. MR. DANGAR to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to extend the provisions of Clauses 16 and 22 of the Government Regulations of the 29th March, 1848, to the Public generally,—such Regulations now giving a pre-emptive right to the Leases of certain Waste Lands of the Crown to a special class of persons only—which, in the opinion of this Council, is subversive of the public interest, and partial and oppressive towards the community.
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, a Return of the gross proceeds of all Estates placed under Sequestration in the Middle District of New South Wales; the number of such Estates; and the average dividend paid by them.
3. MR. MURRAY to move, That the Standing Rules and Orders relating to the introduction of Private Bills be suspended, in order to his moving for leave to bring in a Bill to enable the Trustees of the Church and School Ground at Yass, to sell the School Lands in that Town.
4. MR. MURRAY to move for leave to bring in a Bill to enable the Trustees of the Church and School Ground at Yass, to sell the School Lands in that Town.

ORDERS OF THE DAY :—

1. Coach Drivers Punishment Bill; second reading.
2. City Magistrates Bill; third reading.

TUESDAY, JUNE 12.

NOTICES OF MOTION :—

1. MR. LOWE to move, That a Select Committee be appointed to inquire into the management of the Waste Lands of the Crown, the appropriation of the Revenue derived therefrom, and the influence of such management and appropriation upon the Colonization of the Territory; the Committee to consist of eight Members, exclusive of the Mover, viz:—Mr. Cowper, The Colonial Secretary, Mr. Hamilton, Mr. J. Macarthur, The Speaker, Mr. Murray, and Mr. Lamb.
2. MR. NICHOLS to move for leave to bring in a Bill to amend and consolidate the Laws relating to Seamen in the Merchant Service of the Colony of New South Wales, and for keeping a register of Seamen belonging to Ships registered in the said Colony.
3. MR. LAMB to move, That an Address be presented to His Excellency the Governor, requesting that copies may be laid upon the Table of the House, of the Correspondence which has taken place between the Principal Superintendent of Convicts and the Benches of Magistrates or individuals in reference to the reception or distribution of Convicts expected to arrive in the Colony, upon which the Return recently laid upon the Table of this House was based.
4. MR. OAKES 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, any Correspondence that may have taken place between the Government and the District Council of Parramatta, relative to the supplying the Inhabitants of the Town and District with pure Water.
5. MR. MACKINNON to move, That an Address be presented to His Excellency the Governor, requesting that Returns may be laid upon the Table of this House, shewing the numbers of Exiles, Expiere Convicts, and Ticket of Leave holders that have arrived in Port Phillip, since the commencement of the Exile system from Great Britain and Van Diemen's Land respectively; and also Returns shewing the numbers of said classes that have been convicted of criminal offences in Port Phillip within the same period, particularising the offences of which they have respectively been found guilty.
6. MR. MACKINNON to move, That an Address be presented to His Excellency the Governor, requesting that Copies may be laid upon the Table of this House of all Correspondence that has taken place between the Government and His Honor the Superintendent of Port Phillip, relative to the exclusion of the present Mayor of the City of Melbourne from the Commission of the Peace.

7. **MR. BOWMAN** to move, That an Address be presented to His Excellency the Governor, praying that a Return may be laid upon the Table of this House, of all moneys received as Tolls at the Bridge over South Creek, Windsor, commonly called Howe's Bridge, from the 1st January 1844, to 31st December 1848, and how such moneys have been appropriated.

ORDER OF THE DAY :—

1. Works of Art Bill; third reading.

WEDNESDAY, JUNE 13.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. **THE COLONIAL SECRETARY** to move, That the Message of His Excellency the Governor, and accompanying documents, respecting the Dry Dock at Cockatoo Island, be referred to a Select Committee, to consist of the following six Members, exclusive of the Mover, namely—The Speaker, The Colonial Treasurer, Mr. Lamb, The Collector of Customs, Mr. Murray, and Mr. William Macarthur; with instructions to inquire into and report upon the proposal of the Lords Commissioners of the Admiralty therein contained.

ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 21 with Moreton Bay Bill.
2. Consideration of Governor's Message No. 15, respecting Dry Dock.
3. Gunpowder Bill; third reading.
4. Party Processions Bill; to be considered in Committee.
5. Hawkers' and Pedlers' Bill; second reading.
6. Aboriginal Natives' Evidence Bill; second reading.
7. Lunatics Bill; third reading.
8. Administration of Criminal Justice Bill; to be further considered in Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. **MR. MARTIN** to move for leave to bring in a Bill to regulate Distresses for Rent.
2. **MR. MARTIN** to move for leave to bring in a Bill to regulate proceedings before Justices of the Peace, in their Summary Jurisdiction.
3. **MR. NICHOLS** to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House,—
 - (1.) A Return from the Courts of Requests in the County of Cumberland, established under the Act of Council, 6 Victoria, No. 15, of the total number of Plaints entered in each Court, from the time when the Act came into operation, up to and inclusive of the 1st day of June instant, specifying the number of Plaints in the £10 jurisdiction, and the number of Plaints in the £30 jurisdiction.
 - (2.) A Return of the total number of days that each Court has sat within the above period; the total number of Causes heard in each Court during the above period, distinguishing the number of defended from undefended suits, and those which were dismissed for default of appearance of parties.
 - (3.) A Return of the amount of money now in hands of the respective Registrars of the said Courts belonging to Suitors.
4. **MR. DARVALL** to move the suspension of the Standing Rules and Orders relating to the introduction of Private Bills, in order to his moving for leave to bring in a Bill to amend the Gas Company's Acts.
5. **MR. DARVALL** to move for leave to bring in a Bill to amend the Gas Company's Acts.

THURSDAY, JUNE 14.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. **THE ATTORNEY GENERAL** to move for leave to bring in a Bill to consolidate and amend the Laws relating to the Licensing of Public Houses, and to Regulate the Sale of Fermented and Spirituous Liquors in New South Wales.

ORDER OF THE DAY :—

1. Administration of Criminal Law Bill; third reading.

OTHER BUSINESS—NOTICE OF MOTION :—

1. **MR. MARTIN** to move, That a Select Committee of this House be appointed to inquire into and report upon the working of the Insolvent Act, and the mode in which the Insolvent Court has been conducted since its first establishment.

FRIDAY, JUNE 15.

NOTICES OF MOTION :—

1. **MR. NICHOLS** to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
2. **MR. NICHOLS** to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.

WEDNESDAY, JUNE 20.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Courts of Requests and Petty Sessions Auction Bill; second reading.

CHARLES NICHOLSON,
Speaker.



No. 13.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 8 JUNE, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Voided Election :—The Clerk, by order of the Speaker, read the following Letter :—

(No. 49-40.)

*Colonial Secretary's Office,
Sydney, 7th June, 1849.*

SIR,

The Court established under the provisions of the Act 6 Victoria No. 16 for the trial of disputed Elections having determined that Stuart Alexander Donaldson Esquire was not duly elected, and that there was no legal election, by reason of the neglect of duty on the part of the Returning Officer in not appointing Deputy Returning Officers to take the Poll at the Several Polling Places in the County of Durham, I am directed by His Excellency the Governor to inform you that a new Writ has accordingly issued for the Return of a Member to Serve in the Legislative Council for the Electoral District of the County of Durham, in the room of S. A. Donaldson Esquire.

I have the honor to be

Sir,

Your most Obedient Servant,

E. DEAS THOMSON.

THE HONORABLE
THE SPEAKER OF THE
LEGISLATIVE COUNCIL.

2. Postponement :—Mr Dangar postponed the motion standing in his name first on the Notice Paper for to day, until Tuesday, next.
3. Dropped Motion :—The Speaker called on Mr. Lowe to make the motion standing in his name second on the Notice Paper for to-day, but Mr. Lowe not responding, the motion dropped.
4. Suspension of Standing Rules and Orders :—Mr. Murray moved, pursuant to notice, That the Standing Rules and Orders relating to the introduction of Private Bills be suspended, in order to his moving for leave to bring in a Bill to enable the Trustees of the Church and School Ground at Yass, to sell the School Lands in that Town.
Question put and passed,—
Whereupon Mr. Murray produced the *Government Gazette* of 24th, 28th, and 31st March 1848, and of the 5th June 1849, in which notice of the intention to apply for the Bill is given.
5. Yass School Lands Bill :—Mr. Murray then moved, pursuant to notice, That he have leave to bring in a Bill to enable the Trustees of the Church and School Ground at Yass, to sell the School Lands in that Town.
Question put and passed.
6. Coach Drivers Punishment Bill having been read a second time, on motion of Mr. Nichols, the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill without amendment, the Council adopted the Bill as so reported, and ordered it to be engrossed, and read a third time on Friday next.
7. City Magistrates Bill :—The Speaker having reported that the Chairman of Committees had certified the engrossment of this Bill, on motion of Mr. Nichols, the Bill was read a third time, and *passed*.
Council adjourned at half-past Three o'clock, until Tuesday next at Three o'clock.

NOTICES

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JUNE 12.

NOTICES OF MOTION :—

1. **MR. LOWE** to move, That a Select Committee be appointed to inquire into the management of the Waste Lands of the Crown, the appropriation of the Revenue derived therefrom, and the influence of such management and appropriation upon the Colonization of the Territory; the Committee to consist of eight Members, exclusive of the Mover, viz:—**Mr. Cowper**, The Colonial Secretary, **Mr. Hamilton**, **Mr. J. Macarthur**, The Speaker, **Mr. Murray**, and **Mr. Lamb**.
2. **MR. NICHOLS** to move for leave to bring in a Bill to amend and consolidate the Laws relating to Seamen in the Merchant Service of the Colony of New South Wales, and for keeping a register of Seamen belonging to Ships registered in the said Colony.
3. **MR. LAMB** to move, That an Address be presented to His Excellency the Governor, requesting that copies may be laid upon the Table of the House, of the Correspondence which has taken place between the Principal Superintendent of Convicts and the Benches of Magistrates or individuals in reference to the reception or distribution of Convicts expected to arrive in the Colony, upon which the Return recently laid upon the Table of this House was based.
4. **MR. OAKES** 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, any Correspondence that may have taken place between the Government and the District Council of Parramatta, relative to the supplying the Inhabitants of the Town and District with pure Water.
5. **MR. MACKINNON** to move, That an Address be presented to His Excellency the Governor, requesting that Returns may be laid upon the Table of this House, shewing the numbers of Exiles, Expires Convicts, and Ticket of Leave holders that have arrived in Port Phillip, since the commencement of the Exile system from Great Britain and Van Diemen's Land respectively; and also Returns shewing the numbers of said classes that have been convicted of criminal offences in Port Phillip within the same period, particularising the offences of which they have respectively been found guilty.
6. **MR. MACKINNON** to move, That an Address be presented to His Excellency the Governor, requesting that Copies may be laid upon the Table of this House of all Correspondence that has taken place between the Government and His Honor the Superintendent of Port Phillip, relative to the exclusion of the present Mayor of the City of Melbourne from the Commission of the Peace.
7. **MR. BOWMAN** to move, That an Address be presented to His Excellency the Governor, praying that a Return may be laid upon the Table of this House, of all moneys received as Tolls at the Bridge over South Creek, Windsor, commonly called Howe's Bridge, from the 1st January, 1844, to 31st December 1848, and how such moneys have been appropriated.
8. **MR. DANGAR** to move for leave to bring in a Bill to amend the Act 5 Wil. IV, No. 1, for regulating the slaughtering of Cattle.
9. **MR. DANGAR** to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to extend the provisions of Clauses 16 and 22 of the Government Regulations of the 29th March 1848, to the Public generally,—such Regulations now giving a pre-emptive right to the Leases of certain Waste Lands of the Crown to a special class of persons only—which, in the opinion of this Council, is subversive of the public interest, and partial and oppressive towards the community.
10. **MR. LAMB** 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, an account of the Estates placed under Sequestration in the Middle District of New South Wales since the enactment of the Insolvent Law 5 Vic., No. 17; the amount of Dividends paid thereon; the amount of Law Charges to which they have been subjected; the amount paid out of the proceeds to Official or other Assignees; and the amounts at present in the hands of such Assignees.

ORDER OF THE DAY :—

1. Works of Art Bill; third reading.

WEDNESDAY, JUNE 13.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. **THE COLONIAL SECRETARY** to move, That the Message of His Excellency the Governor, and accompanying documents, respecting the Dry Dock at Cockatoo Island, be referred to a Select Committee, to consist of the following six Members, exclusive of the Mover, namely—The Speaker, The Colonial Treasurer, **Mr. Lamb**, The Collector of Customs, **Mr. Murray**, and **Mr. William Macarthur**; with instructions to inquire into and report upon the proposal of the Lords Commissioners of the Admiralty therein contained.

ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 21 with Moreton Bay Bill.
2. Consideration of Governor's Message No. 15, respecting Dry Dock.
3. Gunpowder Bill; third reading.
4. Party Processions Bill; to be considered in Committee.
5. Hawkers' and Pedlers' Bill; second reading.
6. Aboriginal Natives' Evidence Bill; second reading.
7. Lunatics Bill; third reading.
8. Administration of Criminal Justice Bill; to be further considered in Committee.

OTHER

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MARTIN to move for leave to bring in a Bill to regulate Distresses for Rent.
2. MR. MARTIN to move for leave to bring in a Bill to regulate proceedings before Justices of the Peace, in their Summary Jurisdiction.
3. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House,—
 - (1.) A Return from the Courts of Requests in the County of Cumberland, established under the Act of Council, 6 Victoria, No. 15, of the total number of Plaints entered in each Court, from the time when the Act came into operation, up to and inclusive of the 1st day of June instant, specifying the number of Plaints in the £10 jurisdiction, and the number of Plaints in the £30 jurisdiction.
 - (2.) A Return of the total number of days that each Court has sat within the above period; the total number of Causes heard in each Court during the above period, distinguishing the number of defended from undefended suits, and those which were dismissed for default of appearance of parties.
 - (3.) A Return of the amount of money now in hands of the respective Registrars of the said Courts belonging to Suitors.
4. MR. DARVALL to move the suspension of the Standing Rules and Orders relating to the introduction of Private Bills, in order to his moving for leave to bring in a Bill to amend the Gas Company's Acts.
5. MR. DARVALL to move for leave to bring in a Bill to amend the Gas Company's Acts.

 THURSDAY, JUNE 14.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. THE ATTORNEY GENERAL to move for leave to bring in a Bill to consolidate and amend the Laws relating to the Licensing of Public Houses, and to Regulate the Sale of Fermented and Spirituous Liquors in New South Wales.

ORDER OF THE DAY :—

1. Administration of Criminal Law Bill; third reading.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. MARTIN to move, That a Select Committee of this House be appointed to inquire into and report upon the working of the Insolvent Act, and the mode in which the Insolvent Court has been conducted since its first establishment.

 FRIDAY, JUNE 15.

NOTICES OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
2. MR. NICHOLS to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.

ORDER OF THE DAY :—

1. Coach Drivers Punishment Bill; third reading.

 TUESDAY, JUNE 19.

NOTICE OF MOTION :—

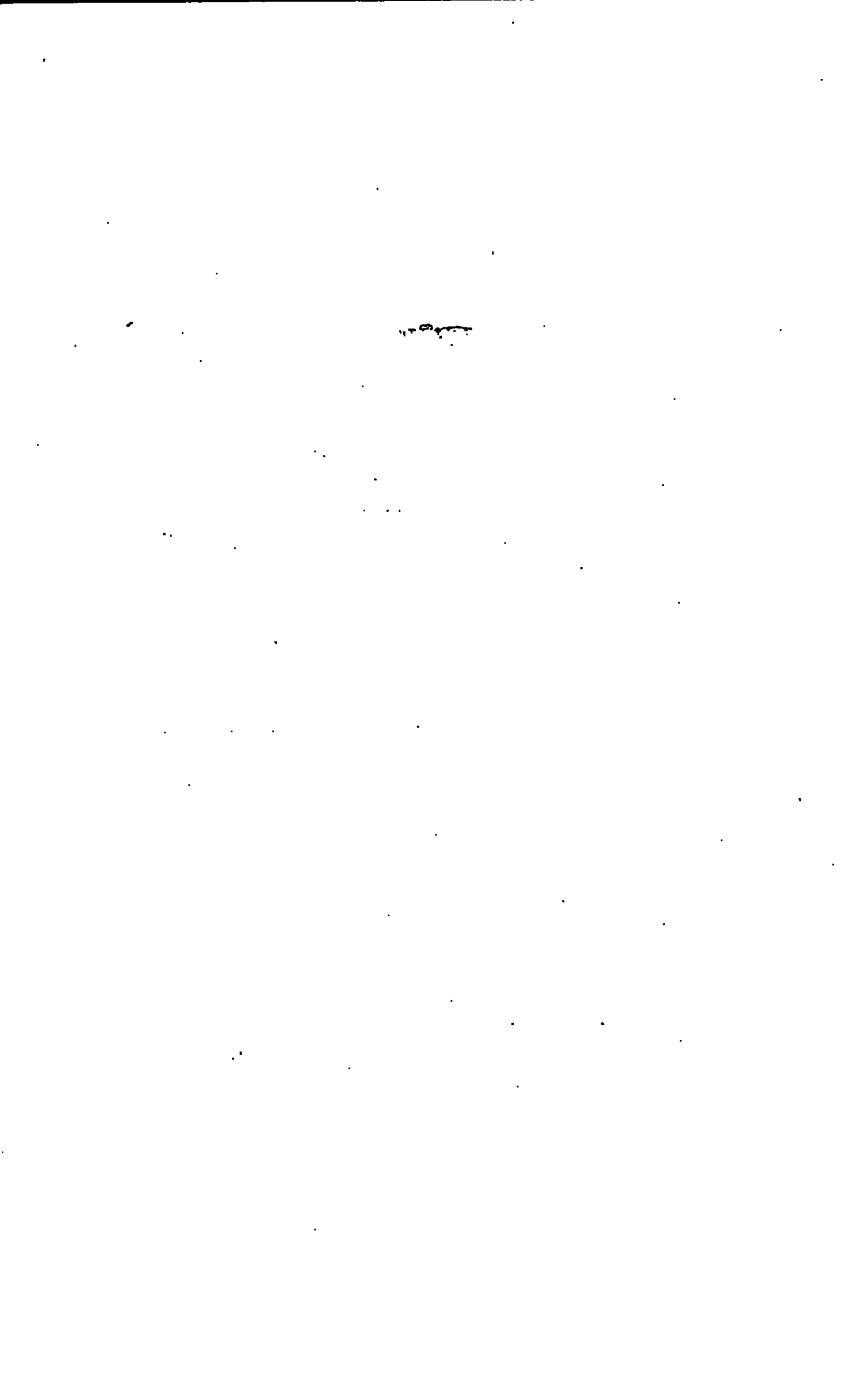
1. MR. MURRAY to move That the Yass School Lands Bill be read a first time.

 WEDNESDAY, JUNE 20.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Courts of Requests and Petty Sessions Auction Bill; second reading.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 12 JUNE, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Resignation of Member:—The Speaker reported that he had received a letter from the Colonial Secretary, under date the 25th ultimo, transmitting to him a letter from James F. Palmer, Esquire, to His Excellency the Governor, resigning his Seat in the Council; and informing him that a New Writ had issued for the return of a Member to serve for the Electoral District of Port Phillip, in room of Mr. Palmer.
2. Rules of Court:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table certain Rules of Court passed by their Honors the Judges at Sydney,—certain further Rules of Court passed by His Honor the Resident Judge at Port Phillip—and certain Correspondence relating thereto.
Ordered to be printed.
3. Statistics:—The Colonial Secretary laid upon the Table the following Statistical Returns:—
 - (1.) Return of Coin in the Colonial Treasury, the Military Chest, and the several Banks, on the 31st December, in each Year, from 1839 to 1848, 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, 1848; 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 1839 to 1848, inclusive.
 - (4.) Return of the Number of Acres of Land planted with the Grape Vine, and of the quantity of Wine and Brandy made from the produce thereof, during the Year ended 31st March, 1849.
 - (5.) Return of Live Stock in the Colony of New South Wales, on the 1st January, 1849.
 - (6.) Return of Live Stock Slaughtered, and the quantity of Tallow and Lard produced from the same, in the Year 1848.
 - (7.) Return of the Value of Imports into the Colony of New South Wales, (including the District of Port Phillip, from the Year 1839 to 1848, inclusive.
 - (8.) Return of the Value of Exports from the Colony of New South Wales, (including the District of Port Phillip,) from the Year 1839 to 1848, inclusive.
 - (9.) Return of the Value of Imports into, and Exports from, the Colony of New South Wales, (including the District of Port Phillip,) from the Year 1843 to 1848, inclusive.
 - (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 1839 to 1848, 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 1848, 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 1848, 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 1848, inclusive.
 - (14.) Return of Live Stock Imported into the Colony of New South Wales, (including the District of Port Phillip,) from the Year 1839 to 1848, 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 1848, 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 1848, inclusive.
 - (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 1848, 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 1848, 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 1848, 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 1839 to 1848, 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 1848, 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 1848, inclusive.
- (23.) Return of the Quantity and Value of Timber, Imported into the Colony of New South Wales, (including the District of Port Phillip,) from the Year 1843 to 1848, inclusive.
- (24.) Return of the Quantity and Value of Timber, Exported from the Colony of New South Wales, (including the District of Port Phillip,) from the Year 1839 to 1848, inclusive.
- (25.) Return of the Quantity and Value of Oil, &c., Exported from the Colony of New South Wales, (including the District of Port Phillip,) from the Year 1839 to 1848, 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 1839 to 1848, inclusive.
- (27.) Return of the Number and Tonnage of Vessels entered Outward, in the Colony of New South Wales, (including the District of Port Phillip,) from the Year 1839 to 1848, 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 1839 to 1848, 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 1839 to 1848, inclusive.
- (30.) Return of the Amount of Auction Duty paid into the Colonial Treasury of New South Wales, (including the District of Port Phillip,) from the Year 1839 to 1848, inclusive.
- (31.) Return of the Number and Amount of Mortgages on Land, in the Colony of New South Wales, Registered at Sydney, from the Year 1839 to 1848, inclusive.
- (32.) Return of the Number and Amount of Mortgages on Land, in the Colony of New South Wales, Registered at Port Phillip, from the Year 1839 to 1848, inclusive.
- (33.) Return of the Number and Amount of Preferable Liens on Wool, and of Mortgages on Live Stock, in the Colony of New South Wales, Registered at Sydney, since the passing of the Act of Council, 7th Victoria, No. 3,—15th September, 1843, to 31st December, 1848, inclusive.
- (34.) Return of the Number and Amount of Preferable Liens on Wool, and of Mortgages on Live Stock, in the Colony of New South Wales, Registered at Port Phillip, since the passing of the Act of Council, 7th Victoria, No. 3,—15th September, 1843, to 31st December, 1848, inclusive.
- (35.) Return of the Quantity and Value of Articles Imported into the Sydney District, in the Colony of New South Wales, during the Year 1848.
- (36.) Return of the Quantity and Value of Articles Imported into the Port Phillip District, in the Colony of New South Wales, during the Year 1848.
- (37.) Return of the Quantity and Value of Articles Exported from the Sydney District, in the Colony of New South Wales, during the Year 1848.
- (38.) Return of the Quantity and Value of Articles Exported from the District of Port Phillip, in the Colony of New South Wales, during the Year 1848.
- (39.) Return of the Ships and Vessels engaged in the Fisheries, that have visited Port Jackson during the last five years; distinguishing those that are Colonial, British, or Foreign, with the Tonnage of each description, and estimated value of the Cargoes disposed of by the last mentioned class for payment for Repairs, Refitting, and Refreshment.
- (40.) Return of the Number of Establishments and Quantity of Woollens Manufactured in the Colony of New South Wales, during the Years 1847, 1848.
- (41.) Return of the Number of Establishments and Quantity of Soap Manufactured in the Colony of New South Wales, (including the District of Port Phillip,) during the Years 1847, 1848.
- (42.) Return of the Number of Establishments and Quantity of Tobacco Manufactured in the Colony of New South Wales, during the Years 1847, 1848.
- (43.) Return of the Number of Establishments and Quantity of Refined-Sugar Manufactured in the Colony of New South Wales, during the Years 1847, 1848.
- Ordered to be printed.
4. Native Police :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table a Report of the Proceedings of the Native Police of the District of Port Phillip, and also a Report from the Commandant of the Native Police of the Middle District.
- Ordered to be printed.
5. Leave of Absence to Chief Commissioner of Insolvent Estates :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on the 5th instant, on motion of Mr. Martin.
- Ordered to be printed.
6. Darlinghurst Gaol :—Mr. Lowe presented a Petition from James Fullerton, L.L.D., Minister of the Scots' Church, Pitt-street, South, praying the Council to direct the Committee on the Darlinghurst Gaol to ascertain whether some alteration may not

not be made to render the duties of the Night Watchman less oppressive.
Petition received, and referred to the Select Committee on the Darlinghurst Gaol.

7. Qualification Question:—

(1.) Mr. Wentworth presented a Petition from five Electors of the Electoral District of Cook and Westmoreland, praying the Council to proceed no further with the Petition for inquiring into the qualification of their Representative.

Petition received.

(2.) Mr. Nichols presented a Petition from twelve Electors of the said District, to the same effect.

Petition received.

(3.) Mr. Nichols presented a Petition from seven Electors of the said District, to the same effect.

Petition received.

(4.) Mr. Nichols presented a Petition from five Electors of the said District, to the same effect.

Petition received.

(5.) Mr. Fitzgerald presented a Petition from twenty Electors of the said District, to the same effect.

Petition received.

(6.) Mr. Fitzgerald presented a Petition from twenty-four Electors of the said District, to the same effect.

Petition received.

8. Hunter River Vineyard Association:—Mr. Wentworth presented a Petition from Henry Carmichael, M. A., President of the Hunter-River Vineyard Association, praying the Council to adopt measures to effect a reduction in the high rate of duty levied on the Wine of this Colony admitted into the United Kingdom.

Petition received.

9. Crown Lands:—Mr. Lowe moved, pursuant to notice, That a Select Committee be appointed to inquire into the management of the Waste Lands of the Crown, the appropriation of the Revenue derived therefrom, and the influence of such management and appropriation upon the Colonization of the Territory; the Committee to consist of eight Members;—the Members to be, Mr. Cowper, The Colonial Secretary, Mr. Hamilton, Mr. J. Macarthur, The Speaker, Mr. Murray, and Mr. Lamb.

Mr. Mackinnon required, That the Committee be appointed by Ballot.

Debate ensued on the Question.

Question,—That a Select Committee be appointed to inquire into the management of the Waste Lands of the Crown—the appropriation of the Revenue derived therefrom—and the influence of such management and appropriation upon the Colonization of the Territory;—the Committee to consist of eight Members,—put and carried,—

Whereupon, pursuant to the request of Mr. Mackinnon, the Council proceeded to the Ballot, and the following Members were declared to have the greatest number of votes, and to be, with the Mover, the Committee duly appointed, viz.:—The Speaker, Mr. Mackinnon, the Colonial Secretary, Mr. Cowper, Mr. James Macarthur, Mr. Hamilton, and Mr. Wentworth.

10. Merchant Seamen's Bill:—Mr. Nichols having, pursuant to Notice, moved for and obtained leave to bring in "*A Bill to amend and consolidate the Laws relating to Seamen in the Merchant Service of the Colony of New South Wales, and for keeping a register of Seamen belonging to Ships registered in the said Colony.*" Bill read a first time; ordered to be printed, and read a second time on next Friday fortnight.

11. Applications for Convicts; Mr. Lamb moved, pursuant to Notice, That an Address be presented to His Excellency the Governor, requesting that copies may be laid upon the Table of this House of the Correspondence which has taken place between the Principal Superintendent of Convicts and the Benches of Magistrates or individuals, in reference to the reception or distribution of Convicts expected to arrive in the Colony, upon which the Return recently laid upon the Table of this House was based.

Debate ensued.

Question put and passed; Address to be presented by the Speaker.

12. Parramatta Water:—Mr. Oakes 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, any Correspondence that may have taken place between the Government and the District Council of Parramatta, relative to the supplying the Inhabitants of the Town and District with pure Water.

Debate ensued.

Question put and passed; Address to be presented by the Speaker.

13. Exiles to Port Phillip; Mr. Mackinnon moved, pursuant to Notice, That an Address be presented to His Excellency the Governor, requesting that Returns may be laid upon the Table of this House, shewing the numbers of Exiles, Expired Convicts, and Ticket of Leave holders that have arrived in Port Phillip, since the commencement of the Exile system, from Great Britain and Van Diemen's Land respectively; and also Returns shewing the numbers of said classes that have been convicted of criminal offences in Port Phillip within the same period, particularising the offences of which they have respectively been found guilty.

Question put and passed; Address to be presented by the Speaker.

14. Motions withdrawn:—

(1.) Mr. Mackinnon withdrew the Motion standing in his name sixth on the Notice Paper for to-day.

(2.) Mr. Bowman withdrew the Motion standing in his name seventh on the Notice Paper for to-day, substituting Notice of Motion for Friday next.

15. Postponement:—Mr. Dangar postponed the motions standing in his name eighth and ninth on the Notice Paper for to-day, until Thursday next.
16. Motion withdrawn:—Mr. Lamb withdrew the motion standing in his name tenth on the Notice Paper for to-day,—substituting Notice of Motion for Tuesday next.
17. Works of Art Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, on motion of Mr. Nichols, Bill read a third time, and *passed*.
Council adjourned at Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JUNE 13.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. THE COLONIAL SECRETARY to move, That the Message of His Excellency the Governor, and accompanying documents, respecting the Dry Dock at Cockatoo Island, be referred to a Select Committee, to consist of the following six Members, exclusive of the Mover, namely—The Speaker, The Colonial Treasurer, Mr. Lamb, The Collector of Customs, Mr. Murray, and Mr. William Macarthur; with instructions to inquire into and report upon the proposal of the Lords Commissioners of the Admiralty therein contained.

ORDERS OF THE DAY:—

1. Consideration of Governor's Message No. 21 with Moreton Bay Bill.
2. Consideration of Governor's Message No. 15, respecting Dry Dock.
3. Gunpowder Bill; third reading.
4. Party Processions Bill; to be considered in Committee.
5. Hawkers' and Pedlers' Bill; second reading.
6. Aboriginal Natives' Evidence Bill; second reading.
7. Lunatics Bill; third reading.
8. Administration of Criminal Justice Bill; to be further considered in Committee.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MARTIN to move for leave to bring in a Bill to regulate Distresses for Rent.
2. MR. MARTIN to move for leave to bring in a Bill to regulate proceedings before Justices of the Peace, in their Summary Jurisdiction.
3. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House,—
(1.) A Return from the Courts of Requests in the County of Cumberland, established under the Act of Council, 6 Victoria, No. 15, of the total number of Plaints entered in each Court, from the time when the Act came into operation, up to and inclusive of the 1st day of June instant, specifying the number of Plaints in the £10 jurisdiction, and the number of Plaints in the £30 jurisdiction.
(2.) A Return of the total number of days that each Court has sat within the above period; the total number of Causes heard in each Court during the above period, distinguishing the number of defended from undefended suits, and those which were dismissed for default of appearance of parties.
(3.) A Return of the amount of money now in hands of the respective Registrars of the said Courts belonging to Suitors.
4. MR. DARVALL to move the suspension of the Standing Rules and Orders relating to the introduction of Private Bills, in order to his moving for leave to bring in a Bill to amend the Gas Company's Acts.
5. MR. DARVALL to move for leave to bring in a Bill to amend the Gas Company's Acts.

THURSDAY, JUNE 14.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. THE ATTORNEY GENERAL to move for leave to bring in a Bill to consolidate and amend the Laws relating to the Licensing of Public Houses, and to Regulate the Sale of Fermented and Spirituous Liquors in New South Wales.

ORDER OF THE DAY:—

1. Administration of Criminal Law Bill; third reading.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MARTIN to move, That a Select Committee of this House be appointed to inquire into and report upon the working of the Insolvent Act, and the mode in which the Insolvent Court has been conducted since its first establishment.
2. MR. DANGAR to move for leave to bring in a Bill to amend the Act 5 Wil. IV, No. 1, for regulating the slaughtering of Cattle.
3. MR. DANGAR to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to extend the provisions of Clauses 16 and 22 of the Government Regulations of the 29th March 1848, to the Public generally,—such Regulations now giving a pre-emptive right to the Leases of certain Waste Lands of the Crown to a special class of persons only,—which, in the opinion of this Council, is subversive of the public interest, and partial and oppressive towards the community.

FRIDAY

FRIDAY, JUNE 15.

NOTICES OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
2. MR. NICHOLS to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.
3. MR. NICHOLS to move for leave to bring in a Bill to amend the Law of Evidence; and to facilitate the admission in Evidence of certain official and other Documents.
4. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House a Return of the number of Licenses issued to Hawkers and Pedlers by the respective Courts of Quarter Sessions, in pursuance of the Act of the Governor and Legislative Council of New South Wales, 5th William IV., No. 7, from the 1st day of January, 1848, to the 12th day of June, 1849, both days inclusive, and the Districts for which such Licenses are issued.
5. MR. WENTWORTH to move for leave to bring in a Bill to appoint the Honorable Francis Scott, Agent for the Colony.
6. MR. BOWMAN 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 collected as Tolls at the bridge over the South Creek at Windsor, commonly called Howe's Bridge, from the 1st January, 1844, to the 1st January, 1849; and also of all sums expended in the repairs of roads and bridges within the Police District of Windsor, during that period.
7. MR. LOWE to move, That an Address be presented to His Excellency the Governor, praying that His Excellency may be pleased to cause to be laid upon the Table of this House, an Account of the average Dividend paid in all Insolvent Estates placed under Sequestration in the Middle District, since the passing of the Insolvent Law.
8. MR. LOWE 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, Copy of Instructions of Her Majesty authorising the Governor to appropriate £260 10s. 11d., from the surplus of Schedule B, to the payment of His Excellency's travelling expenses.

ORDER OF THE DAY :—

1. Coach Drivers Punishment Bill; third reading.

TUESDAY, JUNE 19.

NOTICES OF MOTION :—

1. MR. MURRAY to move, That the Yass School Lands Bill be read a first time.
2. MR. DARVALL to move for leave to bring in a Bill to authorise the investment of Trust Monies in Government Securities, and the payment thereof, in certain cases, into the Supreme Court.
3. MR. LAMB 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, an account of the number of Estates placed under Sequestration in the Middle District of New South Wales since the enactment of the Insolvent Law 5 Vic., No. 17; the amount of debts proved against the same, distinguishing those proved by resident Creditors from those proved on account of Creditors not resident in the Colony; the amount of Dividends paid thereon; the amount of Law Charges to which they have been subjected; the amount paid out of the proceeds to Official or other Assignees; and the amounts at present in the hands of such Assignees.
4. MR. NICHOLS to move for leave to bring in a Bill to prevent any Commissioner of Police, Police Magistrate, Superintendent of Police, or any member of the Police Force, or Constable, voting in or for the Election of Members of the Legislative Council of New South Wales.

WEDNESDAY, JUNE 20.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Courts of Requests and Petty Sessions Auction Bill; second reading.

FRIDAY, JUNE 29.

ORDER OF THE DAY :—

1. Merchant Seamen's Bill; second reading.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 13 JUNE, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Edward Wilson :—Mr. Lowe presented a Petition from Edward Wilson, lately Chief Constable of the Town and District of Penrith, praying compensation for an accident, while in the performance of his duty, which compelled him to resign his appointment.
Petition received.
2. Party Processions Bill :—
(1.) Mr. Lowe presented a Petition from certain Citizens of Sydney, against the renewal of the Party Processions Bill, or the addition of any more stringent Clauses to the Act already in force.
Petition received.
(2.) The Attorney General presented a Petition from the Office Bearers of the several Total Abstinence Societies in Sydney, to the same effect.
Petition received.
3. Qualification Question :—Mr. Fitzgerald presented a Petition from ten Electors of the Electoral District of Cook and Westmoreland, praying the Council to proceed no further with the Petition for inquiry into the Qualification of their Representative.
Petition received.
4. Postponement of Motion :—The Colonial Secretary postponed the Motion standing in his name first on the Notice Paper of Government Business for to-day, until the Governor's Message, No. 15, respecting the Dry Dock, shall have been considered.
5. Qualification Question :—Mr. Bowman, as Chairman, brought up the Report of the Committee appointed on the 31st ultimo, to investigate and report on a Petition from certain Electors of the Electoral District of Cook and Westmoreland, praying inquiry into the Qualification of the Sitting Member for that District, and laid upon the Table the Evidence taken before the Committee.
Ordered to be printed.
6. Moreton Bay Bill :—The Governor's Message No. 21, received with this Bill on the 5th instant, having been read, on motion of the Colonial Secretary, Bill, intituled, "*A Bill to constitute Moreton Bay a Warehousing Port,*" read a first time ; to be read a second time this day week.
7. Messages :—The following Messages from His Excellency the Governor received and read :—

(1.) Borax and Saltpetre Bill.
CH^S. A. FITZ ROY,
Governor.

Message No. 23.

In accordance with the provisions of the Act for the Government of New South Wales, 5 and 6 Victoria, Cap. 76, the Governor transmits to the Legislative Council the Draft of a "*Bill to allow the importation of Borax and Saltpetre free of duty.*"

*Government House, Sydney,
13th June, 1849.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration this day week.

(2.) Friendly Societies.
CH^S. A. FITZ ROY,
Governor.

Message No. 24.

In pursuance of the provision contained in the 33rd clause of the Local Act 7 Victoria, No. 10, intituled "*An Act to regulate Friendly Societies in the Colony of New South Wales*" the Governor transmits to the Legislative Council a List of the Societies which have been enrolled under the provisions of the said Act during the five years ended 31st December 1848 ; together with the Returns (in original) where any Returns have been furnished, shewing the rate of sickness and mortality experienced by the said Societies during the before mentioned period.

*Government House, Sydney,
13th June, 1849.*

Ordered to be printed, together with the accompanying List.

8. **Dry Dock** :—The Governor's Message No. 15, received on the 29th ultimo, having been read, The Colonial Secretary moved, pursuant to Notice, That the Message of His Excellency the Governor, and accompanying documents, respecting the Dry Dock at Cockatoo Island, be referred to a Select Committee, to consist of the following six Members, exclusive of the Mover, namely—The Speaker, The Colonial Treasurer, Mr. Lamb, The Collector of Customs, Mr. Murray, and Mr. William Macarthur; with instructions to inquire into and report upon the proposal of the Lords Commissioners of the Admiralty therein contained.
Question put and passed.
9. **Gunpowder Bill** :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill,—Bill, on motion of the Colonial Secretary, read a third time, and passed.
10. **Party Processions Bill** :—On motion of the Colonial Secretary, the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman having reported the Bill with the blank filled, the Council adopted the Bill as so reported, and ordered it to be engrossed as reported, and read a third time this day week.
11. **Hawkers and Pedlers' Bill** :—Moved by the Colonial Secretary, That this Bill be now read a second time.
Debate ensued.
Question put and passed; and Bill having been read a second time, the Council, on motion of the Colonial Secretary, resolved itself into a Committee of the whole for consideration thereof.
The Chairman reported progress, and obtained leave to sit again to-morrow.
12. **Postponement** :—The second reading of the Aboriginal Natives Evidence Bill postponed, on motion of the Attorney General, until Wednesday next.
13. **Lunatics' Bill** :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill,—Bill, on motion of the Colonial Secretary, read a third time, and passed.
14. **Administration of Criminal Justice Bill** :—On motion of the Attorney General, 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, the Council adopted the Bill as so reported, and ordered it to be engrossed as amended, and read a third time this day week.
15. **Postponement** :—Mr. Martin postponed the Motions standing in his name first and second on the Notice Paper of Other Business for to-day, until Tuesday next.
16. **Courts of Requests** :—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House,—
(1.) A Return from the Courts of Requests in the County of Cumberland, established under the Act of Council, 6 Victoria, No. 15, of the total number of Plaints entered in each Court, from the time when the Act came into operation, up to and inclusive of the 1st day of June instant, specifying the number of Plaints in the £10 jurisdiction, and the number of Plaints in the £30 jurisdiction.
(2.) A Return of the total number of days that each Court has sat within the above period; the total number of Causes heard in each Court during the above period, distinguishing the number of defended from undefended suits, and those which were dismissed for default of appearance of parties.
(3.) A Return of the amount of money now in hands of the respective Registrars of the said Courts belonging to Suitors.
Debate ensued.
Motion by leave withdrawn.
17. **Suspension of Standing Rules and Orders** :—Mr. Darvall moved, pursuant to notice, That the Standing Rules and Orders relating to the introduction of Private Bills be suspended, in order to his moving for leave to bring in a Bill to amend the Gas Company's Acts.
Question put and passed.
Whereupon Mr. Darvall produced the *Government Gazette* of the 11th ultimo, in which notice of the intention to apply for the Bill is given.
18. **Gas Company's Bill** :—Mr. Darvall moved, pursuant to notice, That he have leave to bring in a Bill to amend the Gas Company's Acts.
Question put and passed.
Council adjourned at a quarter before Seven o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JUNE 14.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. THE ATTORNEY GENERAL to move for leave to bring in a Bill to consolidate and amend the Laws relating to the Licensing of Public Houses, and to Regulate the Sale of Fermented and Spirituous Liquors in New South Wales.

ORDERS OF THE DAY :—

1. Administration of Criminal Law Bill; third reading.
2. Hawkerc and Pedlers' Bill; to be further considered in Committee.

OTHER

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MARTIN to move, That a Select Committee of this House be appointed to inquire into and report upon the working of the Insolvent Act, and the mode in which the Insolvent Court has been conducted since its first establishment.
2. MR. DANGAR to move for leave to bring in a Bill to amend the Act 5 WIL IV, No. 1, for regulating the slaughtering of Cattle.
3. MR. DANGAR to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to extend the provisions of Clauses 16 and 22 of the Government Regulations of the 29th March 1848, to the Public generally;—such Regulations now giving a pre-emptive right to the Leases of certain Waste Lands of the Crown to a special class of persons only—which, in the opinion of this Council, is subversive of the public interest, and partial and oppressive towards the community.

FRIDAY, JUNE 15.

NOTICES OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
2. MR. NICHOLS to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.
3. MR. NICHOLS to move for leave to bring in a Bill to amend the Law of Evidence, and to facilitate the admission in Evidence of certain official and other Documents.
4. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House a Return of the number of Licenses issued to Hawkers and Pedlers by the respective Courts of Quarter Sessions, in pursuance of the Act of the Governor and Legislative Council of New South Wales, 5th William IV., No. 7, from the 1st day of January, 1848, to the 12th day of June, 1849, both days inclusive, and the Districts for which such Licenses are issued.
5. MR. WENTWORTH to move for leave to bring in a Bill to appoint the Honorable Francis Scott, Agent for the Colony.
6. MR. BOWMAN 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 collected as Tolls at the bridge over the South Creek at Windsor, commonly called Howe's Bridge, from the 1st January, 1844, to the 1st January, 1849; and also of all sums expended in the repairs of roads and bridges within the Police District of Windsor, during that period.
7. MR. LOWE to move, That an Address be presented to His Excellency the Governor, praying that His Excellency may be pleased to cause to be laid upon the Table of this House, an Account of the average Dividend paid in all Insolvent Estates placed under Sequestration in the Middle District, since the passing of the Insolvent Law.
8. MR. LOWE 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, Copy of Instructions of Her Majesty authorising the Governor to appropriate £260 10s. 11d., from the surplus of Schedule B, to the payment of His Excellency's travelling expenses.
9. MR. BOWMAN to move, That an Address be presented to His Excellency the Governor, transmitting a Copy of the Report of the Select Committee appointed on the 31st ultimo, to enquire into and report upon the Qualification of the sitting Member for Cook and Westmoreland, together with evidence taken before the Committee; and that His Excellency the Governor be requested to take such steps as in the opinion of His Excellency are required by Law in reference to the Election of Mr. James Martin as Member for the Electoral District of Cook and Westmoreland.

ORDER OF THE DAY :—

1. Coach Drivers Punishment Bill; third reading.

TUESDAY, JUNE 19.

NOTICES OF MOTION :—

1. MR. MURRAY to move, That the Yass School Lands Bill be read a first time.
2. MR. DARVALL to move for leave to bring in a Bill to authorise the investment of Trust Monies in Government Securities, and the payment thereof, in certain cases, into the Supreme Court.
3. MR. LAMB 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, an account of the number of Estates placed under Sequestration in the Middle District of New South Wales since the enactment of the Insolvent Law 5 Vic., No. 17; the amount of debts proved against the same, distinguishing those proved by resident Creditors from those proved on account of Creditors not resident in the Colony; the amount.

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of Dividends paid thereon; the amount of Law Charges to which they have been subjected; the amount paid out of the proceeds to Official or other Assignees; and the amounts at present in the hands of such Assignees.

4. MR. NICHOLS to move for leave to bring in a Bill to prevent any Commissioner of Police, Police Magistrate, Superintendent of Police, or any member of the Police Force, or Constable, voting in or for the Election of Members of the Legislative Council of New South Wales.
5. MR. MARTIN to move for leave to bring in a Bill to regulate Distresses for Rent.
6. MR. MARTIN to move for leave to bring in a Bill to regulate proceedings before Justices of the Peace in their Summary Jurisdiction.

WEDNESDAY, JUNE 20.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Courts of Requests and Petty Sessions Auction Bill; second reading.
2. Moreton Bay Bill; second reading.
3. Consideration of Governor's Message No. 23, with Borax and Saltpetre Bill.
4. Party Processions Bill; third reading.
5. Aboriginal Natives' Evidence Bill; second reading.
6. Administration of Criminal Justice Bill; third reading.

TUESDAY, JUNE 26.

NOTICE OF MOTION :—

1. MR. DARVALL to move, That the Gas Company's Bill be now read a first time.

FRIDAY, JUNE 29.

ORDER OF THE DAY :—

1. Merchant Seaman's Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 14 JUNE, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Publicans' Bill:—The Attorney General presented a Petition from certain Colonists praying the Council to inquire into the present mode of licensing Public Houses, with a view to remedy the evils thereof.
Petition received.
2. Messages:—The following Messages from His Excellency the Governor received and read.

(1.) Report from Law Commission:—

CH^S. A. FITZ ROY,
Governor.

Message No. 25.

The Governor places before the Legislative Council the Report of the Law Commission appointed on the 16th of September last, to enquire into and report upon the several matters relating to the Judicial Establishments of the Colony referred to them; and begs to inform the Council that he will take the earliest opportunity of submitting to them such measures as he may deem expedient for carrying into effect the recommendations of the Commissioners.

*Government House, Sydney,
14th June, 1849.*

Ordered to be printed, together with the accompanying Document.

(2.) Royal Assent to Reserved Bill:—

CH^S. A. FITZ ROY,
Governor.

Message No. 26.

The Governor transmits to the Legislative Council the Copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, conveying an Order of Her Majesty in Council, dated 11th August 1848, specially confirming an Act passed by the Legislative Council, and which was reserved for the signification thereon of Her Majesty's pleasure, namely, 10th Victoria, No. 17, intituled "*An Act to amend the Laws incorporating the Town of Melbourne.*"

2. The Governor also transmits the copy of an opinion from the Crown Law Officers to the effect that in order to give this Bill force, Her Majesty's assent thereto ought to have been signified within two years from the time the Bill was presented by the Legislative Council to His Excellency for Her Majesty's assent.

3. It will be perceived however that the Act in question was passed by the Council and reserved by the Governor in October 1846,—whereas Earl Grey's Despatch transmitting Her Majesty's Order in Council was only received by His Excellency on the 17th of January 1849, being an interval of more than two years.

*Government House, Sydney,
14th June, 1849.*

Ordered to be printed, together with the accompanying Documents.

(3.) Punishment in substitution for Transportation:—

CH^S. A. FITZ ROY,
Governor.

Message No. 27.

The Governor transmits to the Legislative Council an Extract from a Despatch from the Right Honorable the Secretary of State for the Colonies, in which, whilst signifying Her Majesty's approval of the local Act, 11 Victoria, No. 34, His Lordship invites attention to the possibility of establishing in this Colony a system of punishment for persons convicted in the Colony of a nature similar to that which had recently been recommended for adoption in British Guiana, in a Despatch of which a copy is likewise subjoined.

*Government House, Sydney,
14th June, 1849.*

Ordered to be printed, together with the accompanying Documents.

3. **Elective Franchise:**—Mr. Mackinnon presented a Petition from certain Lessees of Land in the District of Port Phillip, praying that in framing the Constitution for Port Phillip, consequent on its erection into a separate Colony, the Council will extend the Elective Franchise to the Lessees of Land in that District.
Petition received.
4. **Presbyterian Marriages:**—
 - (1.) Mr. Mackinnon presented a Petition from certain Members and Adherents of the Free Presbyterian Congregation at Geelong, in the District of Port Phillip, praying the Council to pass an Act for the removal of doubts as to the Validity of Marriages solemnized by Ministers of the Free Presbyterian Church.
Petition received.
 - (2.) Mr. Mackinnon presented a Petition from the Minister and Elder being a Committee of the Synod of the Free Presbyterian Church of Australia Felix, to the same effect.
Petition received.
 - (3.) Mr. Mackinnon presented a Petition from the Ministers Elders and Committee of Management of the Free Presbyterian Church and Congregation in Melbourne, in the District of Port Phillip, to the same effect.
Petition received.
5. **Publicans' 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 the Licensing of Public Houses, and 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 Wednesday week.
6. **Bathurst Roads:**—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject adopted on the 29th ultimo, on motion of Mr. Suttor.
Ordered to be printed.
7. **Postponements:**—
 - (1.) On motion of the Attorney General the third reading of the Administration of Criminal Law Bill postponed until Wednesday next.
 - (2.) On motion of the Colonial Secretary the further consideration in Committee of the Hawkers' and Pedlers' Bill postponed until Wednesday next.
 - (3.) Mr. Martin postponed the motion standing in his name first on the Notice Paper of Other Business for to-day, until to-morrow week.
8. **Cattle Slaughtering Bill:**—Mr. Dangar moved, pursuant to notice, That he have leave to bring in "A Bill to amend the Act for regulating the Slaughtering of Cattle."
Debate ensued.
Question put and passed.
Moved by Mr. Dangar, That the Bill be now read a first time.
Question put and passed.
Bill read a first time; ordered to be printed, and read a second time on Tuesday the 26th instant.
9. **Pre-emptive right to Leases of Crown Lands:**—Mr. Dangar moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be "pleased" to extend the provisions of Clauses 16 and 22 of the Government Regulations of the 29th March 1848, to the Public generally,—such Regulations now giving a pre-emptive right to the Leases of certain Waste Lands of the Crown to a special class of persons only—which, in the opinion of this Council, is subversive of the public interest, and partial and oppressive towards the community.
Debate ensued.
Moved as an amendment by Mr. Darvall, That all the words following the word "pleased" be omitted, with a view to the introduction in their place of the words "to give a further opportunity for the purchase of Lands on similar terms to those promulgated by the Government on the 21st November 1848."
Debate continued.
Amendment by leave withdrawn.
Original Question by leave withdrawn.
Council adjourned at a quarter after Seven o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JUNE 15.

NOTICES OF MOTION:—

1. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
2. MR. NICHOLS to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.
3. MR. NICHOLS to move for leave to bring in a Bill to amend the Law of Evidence, and to facilitate the admission in Evidence of certain official and other Documents.

4. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House a Return of the number of Licenses issued to Hawkers and Pedlers by the respective Courts of Quarter Sessions, in pursuance of the Act of the Governor and Legislative Council of New South Wales, 5th William IV., No. 7, from the 1st day of January, 1848, to the 12th day of June, 1849, both days inclusive, and the Districts for which such Licenses are issued.
5. MR. WENTWORTH to move for leave to bring in a Bill to appoint the Honorable Francis Scott, Agent for the Colony.
6. MR. BOWMAN 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 collected as Tolls at the bridge over the South Creek at Windsor, commonly called Howe's Bridge, from the 1st January, 1844, to the 1st January, 1849; and also of all sums expended in the repairs of roads and bridges within the Police District of Windsor, during that period.
7. MR. LOWE to move, That an Address be presented to His Excellency the Governor, praying that His Excellency may be pleased to cause to be laid upon the Table of this House, an Account of the average Dividend paid in all Insolvent Estates placed under Sequestration in the Middle District, since the passing of the Insolvent Law.
8. MR. LOWE 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, Copy of Instructions of Her Majesty authorising the Governor to appropriate £260 10s. 11d., from the surplus of Schedule B, to the payment of His Excellency's travelling expenses.
9. MR. BOWMAN to move, That an Address be presented to His Excellency the Governor, transmitting a Copy of the Report of the Select Committee appointed on the 31st ultimo, to inquire into and report upon the Qualification of the sitting Member for Cook and Westmoreland, together with evidence taken before the Committee; and that His Excellency the Governor be requested to take such steps as in the opinion of His Excellency are required by Law in reference to the Election of Mr. James Martin as Member for the Electoral District of Cook and Westmoreland.
10. MR. COWPER to move, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to lay upon the Table of this House, copies of all Correspondence which has taken place between the Executive Government and the Surveyor General's Department, respecting the Land Regulations of the 21st of November last.

ORDER OF THE DAY:—

1. Coach Drivers Punishment Bill; third reading.

TUESDAY, JUNE 19.

NOTICES OF MOTION:—

1. MR. MURRAY to move, That the Yass School Lands Bill be read a first time.
2. MR. DARVALL to move for leave to bring in a Bill to authorise the investment of Trust Monies in Government Securities, and the payment thereof, in certain cases, into the Supreme Court.
3. MR. LAMB 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, an account of the number of Estates placed under Sequestration in the Middle District of New South Wales since the enactment of the Insolvent Law, 5 Vic., No. 17; the amount of debts proved against the same, distinguishing those proved by resident Creditors from those proved on account of Creditors not resident in the Colony; the amount of Dividends paid thereon; the amount of Law Charges to which they have been subjected; the amount paid out of the proceeds to Official or other Assignees; and the amounts at present in the hands of such Assignees.
4. MR. NICHOLS to move for leave to bring in a Bill to prevent any Commissioner of Police, Police Magistrate, Superintendent of Police, or any member of the Police Force, or Constable, voting in or for the Election of Members of the Legislative Council of New South Wales.
5. MR. MARTIN to move for leave to bring in a Bill to regulate Distresses for Rent.
6. MR. MARTIN to move for leave to bring in a Bill to regulate proceedings before Justices of the Peace in their Summary Jurisdiction.

WEDNESDAY, JUNE 20.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Courts of Requests and Petty Sessions Auction Bill; second reading.
2. Moreton Bay Bill; second reading.
3. Consideration of Governor's Message No. 23, with Borax and Saltpetre Bill.
4. Party Processions Bill; third reading.
5. Aboriginal Natives' Evidence Bill; second reading.
6. Administration of Criminal Justice Bill; third reading.
7. Administration of Criminal Law Bill; third reading.
8. Hawkers and Pedlers' Bill; to be further considered in Committee.

FRIDAY

FRIDAY, JUNE 22.

NOTICES OF MOTION :—

1. MR. MACKINNON to move for leave to bring in a Bill to remove doubts as to the validity of certain Marriages solemnized within the Colony of New South Wales, by Ministers of the Presbyterian Church of Eastern Australia, the Free Presbyterian Church of Australia Felix, and other Presbyterian Ministers, and to regulate the Registration of certain Marriages, Baptisms, and Burials, within the said Colony.
2. MR. MACKINNON to move, That an Address be presented to His Excellency the Governor, requesting that he will cause to be laid on the Table of this House, Returns shewing the aggregate amount of money that has been paid into the Colonial Treasury for Allotments of Land in the Town of Geelong ; and also Returns shewing the amount of money that has been paid out of the Public Funds for the formation or improvement of the streets or public ways in the said Town of Geelong.
3. MR. MARTIN to move, That a Select Committee of this House be appointed to inquire into and report upon the working of the Insolvent Act, and the mode in which the Insolvent Court has been conducted since its first establishment.
4. MR. DICKSON 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 Return of the number of applications for purchasing Crown Lands in the intermediate districts of Port Phillip since the publication of the Order in Council and regulations for granting leases, shewing the situation of the respective lots applied for as regards Counties and Parishes, and shewing the extent of each lot which may form only a portion of a section, also shewing those applications that have been refused, and the reason assigned for such refusal.
5. MR. DICKSON 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 Return of all the Town and Village Reserves in the intermediate districts of Port Phillip, distinguishing those that have been surveyed and are open for sale from those that have not, also shewing the number of allotments applied for to purchase in each, and the date of all the applications that have not been complied with.
6. MR. DICKSON 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 Return shewing the number of lots and total extent of land that has been sold in the intermediate districts of Port Phillip, and that are now open to selection at the upset price, distinguishing country special country and suburban lots and town allotments where any have been sold, and shewing what reserve, if any, has been made for a Town Common in the places where Towns have been surveyed, and whether any portion of land is appropriated as right of Common until required for purchase by purchasers of suburban lots or small special country lots adjoining the several Townships.

TUESDAY, JUNE 26.

1. MR. DARVALL to move, That the Gas Company's Bill be now read a first time,

ORDER OF THE DAY :—

1. Cattle Slaughtering Bill ; second reading.

WEDNESDAY, JUNE 27.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Publicans' Bill ; second reading.

FRIDAY, JUNE 29.

ORDER OF THE DAY :—

1. Merchant Seamen's Bill ; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 15 JUNE, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Report from Denominational School Board, Port Phillip :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table certain Papers relating to the Denominational Schools at Port Phillip, together with a Report from the Board. Ordered to be printed.
2. Postponements :—
(1.) Mr. Martin on behalf of Mr. Nichols postponed the motions standing first, second, third, and fourth in the name of Mr. Nichols on the Notice Paper for to-day, until Thursday next.
(2.) Mr. Wentworth postponed the motion standing in his name fifth on the Notice Paper for to-day, until Tuesday next.
(3.) Mr. Bowman postponed the motion standing in his name sixth on the Notice Paper for to-day, until Tuesday next.
3. Average Dividend in Insolvent Estates :—Mr. Lowe moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency may be pleased to cause to be laid upon the Table of this House, an Account of the average Dividend paid in all Insolvent Estates placed under Sequestration in the Middle District, since the passing of the Insolvent Law.
Question put and passed ; Address to be presented by the Speaker.
4. Travelling Expenses of His Excellency the Governor :—Mr. Lowe 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, Copy of Instructions of Her Majesty authorising the Governor to appropriate £260 10s. 11d., from the surplus of Schedule B, to the payment of His Excellency's travelling expenses.
Question put and passed ; Address to be presented by the Speaker.
5. Qualification Question :—Mr. Bowman moved, pursuant to Notice, That an Address be presented to His Excellency the Governor, transmitting a Copy of the Report of the Select Committee appointed on the 31st ultimo to inquire into and report upon the Qualification of the Sitting Member for Cook and Westmoreland, together with Evidence taken before the Committee ; and that His Excellency the Governor be requested to take such steps as in the opinion of His Excellency are required by Law in reference to the Election of Mr. James Martin as Member for the Electoral District of Cook and Westmoreland.
A Debate having arisen as to whether, pursuant to Parliamentary practice where a Member is interested in a question before the House, Mr. Martin, the Sitting Member for Cook and Westmoreland, should be heard and withdraw before the Question be stated or any Debate be had of the matter relating to him,—
Mr. Lowe moved, That Mr. James Martin be now required to address any observations he may have to make to the Council, and then withdraw.
Debate ensued.
Question put, That Mr. Martin be now required to address any observations he may have to make to the Council, and then withdraw.
Council divided.

Ayes, 16.

The Colonial Secretary,
The Colonial Treasurer,
The Auditor General,
The Collector of Customs,
Mr. Lamb,
Mr. Lowe,
Mr. Suttor,
Mr. Bowman,
Mr. Mackinnon,
Mr. Darvall,
Colonel Snodgrass,
Mr. W. Macarthur,
Mr. Icely,
Mr. Allen,
Mr. Parker,
Mr. Cowper, (Teller.)

Noes, 8.

Mr. Dangar,
Dr. Dickson,
Mr. Wentworth,
Mr. Fitzgerald,
Mr. Oakes,
The Attorney General,
Mr. Martin,
Mr. Nichols, (Teller.)

Whereupon

Whereupon Mr. Martin addressed himself to the Council, and then withdrew. Question stated, That an Address be presented to His Excellency the Governor, transmitting a Copy of the Report of the Select Committee appointed on the 31st ultimo, to inquire into and report upon the Qualification of the sitting Member for Cook and Westmoreland, together with Evidence taken before the Committee; and that His Excellency the Governor be requested to take such steps as in the opinion of His Excellency are required by Law in reference to the Election of Mr. James Martin as Member for the Electoral District of Cook and Westmoreland.

Debate ensued.

Question put and passed; Address to be presented by the Speaker and the Colonial Secretary.

6. Withdrawal of Motion:—Mr. Cowper withdrew the motion standing in his name tenth on the Notice Paper for to-day, giving notice of the same motion for Tuesday next.
7. Postponement:—On motion of Mr. Cowper, on behalf of Mr. Nichols, the third reading of the Coach Drivers Punishment Bill postponed until Tuesday next. Council adjourned at Ten o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JUNE 19.

NOTICES OF MOTION:—

1. MR. MURRAY to move, That the Yass School Lands Bill be read a first time.
2. MR. DARVALL to move for leave to bring in a Bill to authorise the investment of Trust Monies in Government Securities, and the payment thereof, in certain cases, into the Supreme Court.
3. MR. LAMB 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, an account of the number of Estates placed under Sequestration in the Middle District of New South Wales since the enactment of the Insolvent Law, 5 Vic., No. 17; the amount of debts proved against the same, distinguishing those proved by resident Creditors from those proved on account of Creditors not resident in the Colony; the amount of Dividends paid thereon; the amount of Law Charges to which they have been subjected; the amount paid out of the proceeds to Official or other Assignees; and the amounts at present in the hands of such Assignees.
4. MR. NICHOLS to move for leave to bring in a Bill to prevent any Commissioner of Police, Police Magistrate, Superintendent of Police, or any member of the Police Force, or Constable, voting in or for the Election of Members of the Legislative Council of New South Wales.
5. MR. MARTIN to move for leave to bring in a Bill to regulate Distresses for Rent.
6. MR. MARTIN to move for leave to bring in a Bill to regulate proceedings before Justices of the Peace in their Summary Jurisdiction.
7. MR. WENTWORTH to move for leave to bring in a Bill to appoint the Honorable Francis Scott, Agent for the Colony.
8. MR. BOWMAN 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 collected as Tolls at the bridge over the South Creek at Windsor, commonly called Howe's Bridge, from the 1st January, 1844, to the 1st January, 1849; and also of all sums expended in the repairs of roads and bridges within the Police District of Windsor, during that period.
9. MR. COWPER to move, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to lay upon the Table of this House, copies of all Correspondence which has taken place between the Executive Government and the Surveyor General's Department, respecting the Land Regulations of the 21st of November last.

ORDER OF THE DAY:—

1. Coach Drivers Punishment Bill; third reading.

WEDNESDAY, JUNE 20.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Courts of Requests and Petty Sessions Auction Bill; second reading.
2. Moreton Bay Bill; second reading.
3. Consideration of Governor's Message No. 23, with Borax and Saltpetre Bill.
4. Party Processions Bill; third reading.
5. Aboriginal Natives' Evidence Bill; second reading.
6. Administration of Criminal Justice Bill; third reading.
7. Administration of Criminal Law Bill; third reading.
8. Hawkers and Pedlers' Bill; to be further considered in Committee.

THURSDAY

THURSDAY, JUNE 21.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
2. MR. NICHOLS to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.
3. MR. NICHOLS to move for leave to bring in a Bill to amend the Law of Evidence, and to facilitate the admission in Evidence of certain official and other Documents.
4. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House a Return of the number of Licenses issued to Hawkers and Pedlers by the respective Courts of Quarter Sessions, in pursuance of the Act of the Governor and Legislative Council of New South Wales, 5th William IV., No. 7, from the 1st day of January, 1848, to the 12th day of June, 1849, both days inclusive, and the Districts for which such Licenses are issued.

FRIDAY, JUNE 22.

NOTICES OF MOTION :—

1. MR. MACKINNON to move for leave to bring in a Bill to remove doubts as to the validity of certain Marriages solemnized within the Colony of New South Wales, by Ministers of the Presbyterian Church of Eastern Australia, the Free Presbyterian Church of Australia Felix, and other Presbyterian Ministers, and to regulate the Registration of certain Marriages, Baptisms, and Burials, within the said Colony.
2. MR. MACKINNON to move, That an Address be presented to His Excellency the Governor, requesting that he will cause to be laid on the Table of this House, Returns shewing the aggregate amount of money that has been paid into the Colonial Treasury for Allotments of Land in the Town of Geelong ; and also Returns shewing the amount of money that has been paid out of the Public Funds for the formation or improvement of the streets or public ways in the said Town of Geelong.
3. MR. MARTIN to move, That a Select Committee of this House be appointed to inquire into and report upon the working of the Insolvent Act, and the mode in which the Insolvent Court has been conducted since its first establishment.
4. DR. DICKSON 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 Return of the number of applications for purchasing Crown Lands in the intermediate districts of Port Phillip since the publication of the Order in Council and regulations for granting leases, shewing the situation of the respective lots applied for as regards Counties and Parishes, and shewing the extent of each lot which may form only a portion of a section, also shewing those applications that have been refused, and the reason assigned for such refusal.
5. DR. DICKSON 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 Return of all the Town and Village Reserves in the intermediate districts of Port Phillip, distinguishing those that have been surveyed and are open for sale from those that have not, also showing the number of allotments applied for to purchase in each, and the date of all the applications that have not been complied with.
6. DR. DICKSON 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 Return shewing the number of lots and total extent of land that has been sold in the intermediate districts of Port Phillip, and that are now open to selection at the upset price, distinguishing country special country and suburban lots and town allotments where any have been sold, and shewing what reserve, if any, has been made for a Town Common in the places where Towns have been surveyed, and whether any portion of land is appropriated as right of Common until required for purchase by purchasers of suburban lots or small special country lots adjoining the several Townships.

TUESDAY, JUNE 26.

1. MR. DARVALL to move, That the Gas Company's Bill be now read a first time.

ORDER OF THE DAY :—

1. Cattle Slaughtering Bill ; second reading.

WEDNESDAY, JUNE 27.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Publicans' Bill ; second reading.

FRIDAY, JUNE 29.

ORDER OF THE DAY :—

1. Merchant Seamen's Bill ; second reading.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 19. JUNE, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
City Corporation :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table Returns Nos. 1, 3, 4, and 5, enumerated in the Address on this subject, adopted on the 30th ultimo, on motion of Mr. Lowe.
Ordered to be printed, and referred to the Select Committee now sitting on the City Corporation.
2. Travelling Expenses of His Excellency the Governor :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on the 15th instant, on motion of Mr. Lowe.
Ordered to be printed.
3. Colonial Wine :—The Colonial Secretary presented a Petition from certain Land Holders and Growers of Wine in the District of the River Hunter and its Tributaries, praying the Council to adopt measures to effect a reduction in the high rate of duty levied on the Wine of this Colony imported into the United Kingdom.
Petition received.
4. Wallis' Creek Bridge :—Mr. Nichols presented a Petition from E. C. Close, (Warden of the District,) for and on behalf of certain Inhabitants of Maitland, Morpeth, and the neighbourhood, in public meeting assembled, praying the Council to adopt such measures as may secure the construction of a new Bridge over Wallis' Creek.
Petition received.
5. Land Communication with Maitland :—Mr. Nichols presented a Petition from certain Colonists, praying the Council to take steps to open a Land Communication between Sydney and Maitland.
Petition received.
6. Postponement :—Mr. Cowper, on behalf of Mr. Murray, postponed the motion standing in Mr. Murray's name first on the Notice Paper for to-day, until this day week.
7. Leave of absence :—On motion of the Colonial Secretary, leave of absence for one fortnight granted to Edward Hamilton, Esquire.
8. Trust Money Bill :—Mr. Darvall having, pursuant to notice, moved for and obtained leave to bring in "*A Bill to authorise the investment of Trust Money on Government Securities, and the payment of such Money into the Supreme Court, in certain cases,*" Bill read a first time ; ordered to be printed, and read a second time this day week.
9. Insolvent Estates :—Mr. Lamb moved, pursuant to amended 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, an account of the number of Estates placed under Sequestration in the Middle District of New South Wales since the enactment of the Insolvent Law, 5 Vic., No. 17 ; the amount of debts proved against the same, distinguishing those proved by resident Creditors from those proved on account of Creditors not resident in the Colony ; the amount of Dividends paid thereon ; and the amounts at present in the hands of Official or other Assignees.
Question put and passed ; Address to be presented by the Speaker and the Colonial Secretary.
10. Police Disfranchising Bill :—Mr. Nichols having, pursuant to notice, moved for and obtained leave to bring in "*A Bill to prevent any Commissioner of Police, Police Magistrate, Superintendent of Police, or any member of the Police Force, or Constable, voting in or for the Election of Members of the Legislative Council of New South Wales,*" Bill read a first time ; ordered to be printed, and read a second time this day week.
11. Motions Withdrawn :—Mr. Martin withdrew the motions standing fifth and sixth in his name on the Notice Paper for to-day.
12. Colonial Agent Bill :—Mr. Wentworth moved, pursuant to notice, that he have leave to bring in "*A Bill to re-appoint the Honorable Francis Scott, to be the Agent for the Colony of New South Wales, for years.*"
Question put and passed.
13. Messages :—The following Messages from His Excellency the Governor received and read :—

(1.) Qualification Question.

CH^S. A. FITZ ROY,
Governor.

Message No. 28.

1. With reference to the Address of the Legislative Council dated the 15th instant, transmitting a copy of the Report of the Select Committee appointed on the 31st ultimo to enquire into and report upon the qualification of the sitting Member for Cook and Westmoreland, together with a copy of the Evidence taken before that Committee,—The Governor conceives that the proper course for him to adopt will be to refer to the decision of the Legislative Council the following question, namely :—

2. Whether the Election of James Martin Esquire as a Member for the Electoral District of Cook and Westmoreland in the Legislative Council of New South Wales is void on account of the said James Martin Esquire not being qualified according to the true intent and meaning of the 5th and 6th Victoria, Ch. 76.

3. This question therefore His Excellency hereby refers to the decision of the Council.

*Government House, Sydney,
19th June, 1849.*

Ordered to be printed, and taken into consideration to-morrow.

The Colonial Secretary laid upon the Table the opinion given by the Attorney and Solicitor General in reference to the subject of this Message, and also a Protest from the sitting Member for Cook and Westmoreland which had been transmitted to the Governor and received His Excellency's consideration.

Ordered to be printed.

(2.) St. Philip's School Ground Bill.

CH^S. A. FITZ ROY,

Message No. 29.

Governor.

In accordance with the provision of the Act for the Government of New South Wales 5 and 6 Victoria Cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill "to enable the Trustees of the Church of England School House, parish of Saint Philip Sydney to surrender a certain piece of ground in Sydney aforesaid to the Crown on receiving a Grant from the Crown of another portion of "ground of equal value"

*Government House, Sydney,
19th June, 1849.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration to-morrow week.

(3.) Liens on Wool and Mortgages on Stock Acts.

CH^S. A. FITZ ROY,

Message No. 30.

Governor.

The Governor transmits to the Legislative Council a copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, in which His Lordship renews the objections entertained by Her Majesty's Government to the principles involved in the Acts passed by the Legislature of this Colony, for giving a preferable Lien on Wool from season to season, and making Mortgages of Live Stock valid without delivery to the Mortgagee

2. The Council will however perceive that Earl Grey expresses his readiness to consider any additional grounds which may be urged for a further continuance of a temporary Law of this character

*Government House, Sydney,
19th June, 1849.*

Ordered to be printed, together with the accompanying Despatch.

14. Colonial Agent Bill, on motion of Mr. Wentworth read a first time; ordered to be printed, and read a second time this day week.
15. Postponement:—Mr. Bowman postponed the motion standing in his name eighth on the Notice Paper for to-day, until to-morrow.
16. Land Regulations:—Mr. Cowper moved, pursuant to notice, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to lay upon the Table of this House, copies of all Correspondence which has taken place between the Executive Government and the Surveyor General's Department, respecting the Land Regulations of the 21st of November last.
Question put and passed; Address to be presented by the Speaker.
17. Motions withdrawn:—Dr. Dickson withdrew the motions standing in his name fourth, fifth, and sixth on the Notice Paper for Friday next—giving notice in order of the same motions for the same day.
18. Coach Drivers' Punishment Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Nichols, read a third time, and passed.
Council adjourned at half past Four o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JUNE 20.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Courts of Requests and Petty Sessions Auction Bill; second reading.
2. Moreton Bay Bill; second reading.
3. Consideration of Governor's Message No. 23, with Borax and Saltpetre Bill.
4. Party Processions Bill; third reading.
5. Aboriginal Natives' Evidence Bill; second reading.
6. Administration of Criminal Justice Bill; third reading.
7. Administration of Criminal Law Bill; third reading.
8. Hawkers and Pedlers' Bill; to be further considered in Committee.
9. Consideration of Governor's Message, No. 28; respecting the Qualification Question.

OTHER

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. BOWMAN 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 collected as Tolls at the bridge over the South Creek at Windsor, commonly called Howe's Bridge, from the 1st January, 1844, to the 1st January, 1849; and also of all sums expended in the repairs of roads and bridges within the Police District of Windsor, during that period.

THURSDAY, JUNE 21.

1. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
2. MR. NICHOLS to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.
3. MR. NICHOLS to move for leave to bring in a Bill to amend the Law of Evidence, and to facilitate the admission in Evidence of certain official and other Documents.
4. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House a Return of the number of Licenses issued to Hawkers and Pedlers by the respective Courts of Quarter Sessions, in pursuance of the Act of the Governor and Legislative Council of New South Wales, 5th William IV., No. 7, from the 1st day of January, 1848, to the 12th day of June, 1849, both days inclusive, and the Districts for which such Licenses are issued.

FRIDAY, JUNE 22.

1. MR. MACKINNON to move for leave to bring in a Bill to remove doubts as to the validity of certain Marriages solemnized within the Colony of New South Wales, by Ministers of the Presbyterian Church of Eastern Australia, the Free Presbyterian Church of Australia Felix, and other Presbyterian Ministers, and to regulate the Registration of certain Marriages, Baptisms, and Burials, within the said Colony.
2. MR. MACKINNON to move, That an Address be presented to His Excellency the Governor, requesting that he will cause to be laid on the Table of this House, Returns shewing the aggregate amount of money that has been paid into the Colonial Treasury for Allotments of Land in the Town of Geelong; and also Returns shewing the amount of money that has been paid out of the Public Funds for the formation or improvement of the streets or public ways in the said Town of Geelong.
3. MR. MARTIN to move, That a Select Committee of this House be appointed to inquire into and report upon the working of the Insolvent Act, and the mode in which the Insolvent Court has been conducted since its first establishment.
4. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to lay on the Table of this House, a Return of all Moneys expended on Public Works in this Colony during the last fifteen years, distinguishing the amounts appropriated to the Northern, Southern, and Western portions of the Middle District, and the amounts appropriated to Port Phillip.
5. DR. DICKSON 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 Return of the number of applications for purchasing Crown Lands in the intermediate districts of Port Phillip since the publication of the Order in Council and regulations for granting leases, shewing the situation of the respective lots applied for as regards Counties and Parishes, and shewing the extent of each lot which may form only a portion of a section, also shewing those applications that have been refused, and the reason assigned for such refusal.
6. DR. DICKSON 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 Return of all the Town and Village Reserves in the intermediate districts of Port Phillip, distinguishing those that have been surveyed and are open for sale from those that have not, also shewing the number of allotments applied for to purchase in each, and the date of all the applications that have not been complied with.
7. DR. DICKSON 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 Return shewing the number of lots and total extent of land that has been sold in the intermediate districts of Port Phillip, and that are now open to selection at the upset price, distinguishing country special country and suburban lots and town allotments where any have been sold, and shewing what reserve, if any, has been made for a Town Common in the places where Towns have been surveyed, and whether any portion of land is appropriated as right of Common until required for purchase by purchasers of suburban lots or small special country lots adjoining the several Townships.

TUESDAY,

TUESDAY, JUNE 26.

1. MR. DARVALL to move, That the Gas Company's Bill be now read a first time.
2. MR. DARVALL to move for leave to bring in a Bill to enable tenants in tail to alienate real property by simple mode of assurance, and to give effect to assurances already made by them.
3. MR. MURRAY to move, That the Yass School Lands Bill be read a first time.

ORDERS OF THE DAY :—

1. Cattle Slaughtering Bill ; second reading.
2. Trust Money Bill ; second reading.
3. Police Disfranchising Bill ; second reading.
4. Colonial Agent Bill ; second reading.

WEDNESDAY, JUNE 27.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Publicans' Bill ; second reading.
2. Consideration of Governor's Message No. 29, with St. Philip's School Ground Bill.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. DICKSON 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 copies of all and every the correspondence which may have taken place between His Honor the Superintendent of Port Phillip and Mr. Surveyor Foote, on the subject of the discovery and existence of a coal mine at Lontit Bay, near to the Town of Geelong, in the District of Port Phillip, accompanied with a request that His Honor will furnish this House with any further information upon the subject which it may be in the power of His Honor to supply.

FRIDAY, JUNE 29.

ORDER OF THE DAY :—

1. Merchant Seamen's Bill ; second reading.

CHARLES NICHOLSON,
Speaker,

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 20 JUNE, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Postponement :—On the first Order of the Day being read by the Clerk, the Colonial Secretary moved, That the first eight Orders on the Paper stand over until to-morrow.
Question put and passed.
2. Qualification Question :—The Governor's Message No. 28 received in reference to this question yesterday, having been read on motion of the Colonial Secretary,—
Moved by Mr. Bowman, That this Council having fully considered the question submitted to them by His Excellency the Governor in his Message No. 28 of the 19th instant, is of opinion that the Election of James Martin Esquire as Member for the Electoral District of Cook and Westmoreland in the Legislative Council of New South Wales is void on account of the said James Martin Esquire not being qualified according to the true intent and meaning of the Act 5th and 6th Vict., chap. 76.
Mr. Martin then addressed the Council.
Question put and passed.
Moved by Mr. Bowman, That an Address, embodying the foregoing Resolution, be presented to His Excellency the Governor.
Notice being taken that Mr. Martin had not withdrawn after addressing the Council, Mr. Martin immediately withdrew.
Debate then ensued.
Question put and passed ;—Address to be presented by the Speaker.
Council adjourned at a quarter before Five o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JUNE 21.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Courts of Requests and Petty Sessions Auction Bill ; second reading.
2. Moreton Bay Bill ; second reading.
3. Consideration of Governor's Message No. 23, with Borax and Saltpetre Bill.
4. Party Processions Bill ; third reading.
5. Aboriginal Natives' Evidence Bill ; second reading.
6. Administration of Criminal Justice Bill ; third reading.
7. Administration of Criminal Law Bill ; third reading.
8. Hawkers and Pedlors' Bill ; to be further considered in Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
2. MR. NICHOLS to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.
3. MR. NICHOLS to move for leave to bring in a Bill to amend the Law of Evidence, and to facilitate the admission in Evidence of certain official and other Documents.
4. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House a Return of the number of Licenses issued to Hawkers and Pedlors by the respective Courts of Quarter Sessions, in pursuance of the Act of the Governor and Legislative Council of New South Wales, 5th William IV., No. 7, from the 1st day of January, 1848, to the 12th day of June, 1849, both days inclusive, and the Districts for which such Licenses are issued.

FRIDAY, JUNE 22.

1. MR. MACKINNON to move for leave to bring in a Bill to remove doubts as to the validity of certain Marriages solemnized within the Colony of New South Wales, by Ministers of the Presbyterian Church of Eastern Australia, the Free Presbyterian Church of Australia Felix, and other Presbyterian Ministers, and to regulate the Registration of certain Marriages, Baptisms, and Burials, within the said Colony.
2. MR. MACKINNON to move, That an Address be presented to His Excellency the Governor, requesting that he will cause to be laid on the Table of this House, Returns showing the aggregate amount of money that has been paid into the Colonial Treasury for Allotments

Allotments of Land in the Town of Geelong ; and also Returns shewing the amount of money that has been paid out of the Public Funds for the formation or improvement of the streets or public ways in the said Town of Geelong.

3. MR. MARTIN to move, That a Select Committee of this House be appointed to inquire into and report upon the working of the Insolvent Act, and the mode in which the Insolvent Court has been conducted since its first establishment.
4. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to lay on the Table of this House, a Return of all Moneys expended on Public Works in this Colony during the last fifteen years, distinguishing the amounts appropriated to the Northern, Southern, and Western portions of the Middle District, and the amounts appropriated to Port Phillip.
5. DR. DICKSON 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 Return of the number of applications for purchasing Crown Lands in the intermediate districts of Port Phillip since the publication of the Order in Council and regulations for granting leases, shewing the situation of the respective lots applied for as regards Counties and Parishes, and shewing the extent of each lot which may form only a portion of a section, also shewing those applications that have been refused, and the reason assigned for such refusal.
6. DR. DICKSON 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 Return of all the Town and Village Reserves in the intermediate districts of Port Phillip, distinguishing those that have been surveyed and are open for sale from those that have not, also shewing the number of allotments applied for to purchase in each, and the date of all the applications that have not been complied with.
7. DR. DICKSON 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 Return shewing the number of lots and total extent of land that has been sold in the intermediate districts of Port Phillip, and that are now open to selection at the upset price, distinguishing country special country and suburban lots and town allotments where any have been sold, and shewing what reserve, if any, has been made for a Town Common in the places where Towns have been surveyed, and whether any portion of land is appropriated as right of Common until required for purchase by purchasers of suburban lots or small special country lots adjoining the several Townships.

TUESDAY, JUNE 26.

1. MR. DARVALL to move, That the Gas Company's Bill be now read a first time.
2. MR. DARVALL to move for leave to bring in a Bill to enable tenants in tail to alienate real property by simple mode of assurance, and to give effect to assurances already made by them.
3. MR. MURRAY to move, That the Yass School Lands Bill be read a first time.

ORDERS OF THE DAY :—

1. Cattle Slaughtering Bill ; second reading.
2. Trust Money Bill ; second reading.
3. Police Disfranchising Bill ; second reading.
4. Colonial Agent Bill ; second reading.

WEDNESDAY, JUNE 27.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Publicans' Bill ; second reading.
2. Consideration of Governor's Message No. 29, with St. Philip's School Ground Bill.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. DICKSON 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 copies of all and every the correspondence which may have taken place between His Honor the Superintendent of Port Phillip and Mr. Surveyor Foote, on the subject of the discovery and existence of a coal mine at Loutit Bay, near to the Town of Geelong, in the District of Port Phillip, accompanied with a request that His Honor will furnish this House with any further information upon the subject which it may be in the power of His Honor to supply.

FRIDAY, JUNE 29.

ORDER OF THE DAY :—

1. Merchant Seamen's Bill ; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 21 JUNE, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Writ for Cook and Westmoreland :—The Clerk, by order of the Speaker, read the following letter :—

(No. 45.)

*Colonial Secretary's Office,
Sydney, 21st June, 1849.*

SIR,

The Legislative Council having resolved that the Election of James Martin, Esquire, as Member for the Electoral District of Cook and Westmoreland, in the Legislative Council of New South Wales, is void on account of the said James Martin, Esquire, not being qualified according to the true intent and meaning of the Act 5 and 6 Victoria, chap 76, and the Governor being satisfied that the Seat which Mr. Martin was elected to fill is still vacant, I do myself the honor to inform you that His Excellency has accordingly issued a Writ for a New Election of a Member to serve in the Legislative Council for the Electoral District of Cook and Westmoreland, as notified in the *Supplementary Government Gazette* of this date, a copy of which is enclosed.

I have the honor to be,
Sir,

Your most obedient servant,
E. DEAS THOMSON.

THE HONORABLE THE SPEAKER OF
THE LEGISLATIVE COUNCIL.

- Mr. James Martin being then seated in the House, the Speaker took notice that there was a stranger present, and ordered the Sergeant-at-Arms to remove him, whereupon Mr. James Martin was accordingly removed by the Sergeant-at-Arms.
2. Silk Institution :—Mr. Cowper presented a Petition from the Visitors and Committee of the Experimental Silk Institution at Eastwood, in the Parish of Hunter's Hill, praying encouragement and support for the Institution.
Petition received.
3. John Hickey :—Mr. Nichols presented a Petition from John Hickey, residing near Morpeth, Hunter River, praying inquiry into the reason for withholding from him the Grant of a certain piece of Land.
Petition received.
4. Postponement :—On motion of the Colonial Secretary, the second reading of the Courts of Requests and Petty Sessions Auction Bill postponed, until this day fortnight.
5. Moreton Bay 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 the blanks filled, the Council adopted the same, and ordered the Bill as so reported to be engrossed, and read a third time this day week.
6. Borax and Saltpetre Bill :—The Governor's Message No. 23, received with this Bill on the 13th instant, having been read, on motion of the Colonial Secretary, Bill, intitled, "*A Bill to allow the Importation of Borax and Saltpetre free of Duty,*" read a first time ; to be read a second time this day week.
7. Party Processions Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and *passed*.
8. Postponement :—The second reading of the Aboriginal Natives' Evidence Bill postponed, on motion of the Attorney General, until Wednesday next.
9. Administration of Criminal Justice Bill :—On the Order of the Day for the third reading of this Bill being read by the Clerk,—
The Attorney General moved, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of the fourth Clause of this Bill.
The Speaker, in answer to a Question of Order, cited Dwarris to show that the course proposed by the Attorney General was consistent with the practice of Parliament ;—
Whereupon Question put and passed ; and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with a further amendment, the Council adopted the same, and ordered the Bill, as so reported, to be read a third time on Wednesday next.

10. Report from Immigration Agent:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Report from the Immigration Agent in this Colony for the year 1848, together with Appendices thereto.
Ordered to be printed, and referred to the Land and Immigration Committee.
11. Administration of Criminal Law Bill:—On the Order of the Day for the third reading of this Bill being read by the Clerk,—
The Attorney General moved, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of the first clause of this Bill.
Question put and passed; and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with a further amendment, the Council adopted the same, and ordered the Bill, as so reported, to be read a third time on Wednesday next.
12. Postponements:—
(1.) The further consideration in Committee of the Hawkers' and Pedlers' Bill, postponed, on motion of the Colonial Secretary, until Wednesday next.
(2.) Mr. Nichols postponed the motions standing in his name first and second on the Notice Paper for to-day, until this day fortnight.
13. Law of Evidence Bill:—Mr. Nichols having, pursuant to notice, moved for and obtained leave to bring in "*A Bill to amend the Law of Evidence, and to facilitate the admission in Evidence of certain Official and other Documents,*" Bill read a first time; ordered to be printed, and read a second time to-morrow week.
14. Licenses to Hawkers and Pedlers:—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House, a Return of the number of Licenses issued to Hawkers and Pedlers by the respective Courts of Quarter Sessions, in pursuance of the Act of the Governor and Legislative Council of New South Wales, 5th William IV., No. 7, from the 1st day of January, 1848, to the 12th day of June, 1849, both days inclusive, and the Districts for which such Licenses are issued.
Question put and passed; Address to be presented by the Speaker.
Council adjourned at half-past Four o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JUNE 22.

NOTICES OF MOTION:—

1. MR. MACKINNON to move for leave to bring in a Bill to remove doubts as to the validity of certain Marriages solemnized within the Colony of New South Wales, by Ministers of the Presbyterian Church of Eastern Australia, the Free Presbyterian Church of Australia Felix, and other Presbyterian Ministers, and to regulate the Registration of certain Marriages, Baptisms, and Burials, within the said Colony.
2. MR. MACKINNON to move, That an Address be presented to His Excellency the Governor, requesting that he will cause to be laid on the Table of this House, Returns showing the aggregate amount of money that has been paid into the Colonial Treasury for Allotments of Land in the Town of Geelong; and also Returns shewing the amount of money that has been paid out of the Public Funds for the formation or improvement of the streets or public ways in the said Town of Geelong.
3. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to lay on the Table of this House, a Return of all Moneys expended on Public Works in this Colony during the last fifteen years, distinguishing the amounts appropriated to the Northern, Southern, and Western portions of the Middle District, and the amounts appropriated to Port Phillip.
4. DR. DICKSON 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 Return of the number of applications for purchasing Crown Lands in the intermediate districts of Port Phillip since the publication of the Order in Council and regulations for granting leases, shewing the situation of the respective lots applied for as regards Counties and Parishes, and shewing the extent of each lot which may form only a portion of a section, also showing those applications that have been refused, and the reason assigned for such refusal.
5. DR. DICKSON 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 Return of all the Town and Village Reserves in the intermediate districts of Port Phillip, distinguishing those that have been surveyed and are open for sale from those that have not, also shewing the number of allotments applied for to purchase in each, and the date of all the applications that have not been complied with.
6. DR. DICKSON 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 Return shewing the number of lots and total extent of land that has been sold in the intermediate districts of Port Phillip, and that are now open to selection at the upset price, distinguishing country special country and suburban lots and town allotments where any have been sold, and shewing what reserve, if any, has been made for a Town Common in the places where Towns have been surveyed, and whether any portion of land is appropriated as right of Common until required for purchase by purchasers of suburban lots or small special country lots adjoining the several Townships.

- 7. Mr. LOWE to move for leave to bring in a Bill to punish false Declarations by Members and to give Select Committees power to examine on oath.
- 8. Mr. NICHOLS to move for leave to bring in a Bill for regulating the trade or business of Pawnbrokers.

TUESDAY, JUNE 26.

- 1. Mr. DARVALL to move, That the Gas Company's Bill be now read a first time.
- 2. Mr. DARVALL to move for leave to bring in a Bill to enable tenants in tail to alienate real property by simple mode of assurance, and to give effect to assurances already made by them.
- 3. Mr. MURRAY to move, That the Yass School Lands Bill be read a first time.

ORDERS OF THE DAY :—

- 1. Cattle Slaughtering Bill ; second reading.
- 2. Trust Money Bill ; second reading.
- 3. Police Disfranchising Bill ; second reading.
- 4. Colonial Agent Bill ; second reading.

WEDNESDAY, JUNE 27.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

- 1. Publicans' Bill ; second reading.
- 2. Consideration of Governor's Message No. 29, with St. Philip's School Ground Bill.
- 3. Aboriginal Natives' Evidence Bill ; second reading.
- 4. Administration of Criminal Justice Bill ; third reading.
- 5. Administration of Criminal Law Bill ; third reading.
- 6. Hawkers and Pedlers' Bill ; to be further considered in Committee.

OTHER BUSINESS—NOTICE OF MOTION :—

- 1. Dr. DICKSON 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 copies of all and every the correspondence which may have taken place between His Honor the Superintendent of Port Phillip and Mr. Surveyor Foote, on the subject of the discovery and existence of a coal mine at Loutit Bay, near to the Town of Geelong, in the District of Port Phillip, accompanied with a request that His Honor will furnish this House with any further information upon the subject which it may be in the power of His Honor to supply.

THURSDAY, JUNE 28.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

- 1. Moreton Bay Bill ; third reading.
- 2. Borax and Saltpetre Bill ; second reading.

FRIDAY, JUNE 29.

- 1. Merchant Seaman's Bill ; second reading.
- 2. Law of Evidence Bill ; second reading.

THURSDAY, JULY 5.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

- 1. Courts of Requests and Petty Sessions Auction Bill ; second reading.

OTHER BUSINESS—NOTICES OF MOTION.

- 1. Mr. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
- 2. Mr. NICHOLS to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.

CHARLES NICHOLSON,
Speaker.



No. 21.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 22 JUNE, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Resignation of Member :—The Speaker reported that he had received a letter from the Colonial Secretary, dated this day, transmitting to him a letter from L. Mackinnon, Esquire, to His Excellency the Governor, resigning his seat in the Council ; and informing him that a new Writ had issued for the return of a Member to serve for the Electoral District of Port Phillip, in room of Mr. Mackinnon.
2. Postponement :—Mr. Nichols postponed the motion standing in his name third on the Notice Paper for to-day, until Thursday next.
3. Crown Lands, Port Phillip :—Dr. Dickson 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, a Return of the number of applications for purchasing Crown Lands in the intermediate districts of Port Phillip since the publication of the Order in Council and Regulations for granting Leases, shewing the situation of the respective lots applied for as regards Counties and Parishes, and shewing the extent of each lot which may form only a portion of a section, also shewing those applications that have been refused, and the reason assigned for such refusal.
Question put and passed ; Address to be presented by the Speaker.
4. Motions withdrawn :—Dr. Dickson withdrew the motions standing in his name fifth and sixth on the Notice Paper for to-day.
5. False Declarations Bill :—Mr. Lowe having, pursuant to notice, moved for and obtained leave to bring in " A Bill to punish false Declarations by Members and to give Select Committees power to examine on oath," Bill read a first time ; ordered to be printed, and read a second time on Friday next.
6. Postponement :—Mr. Nichols postponed the motion standing in his name eighth on the Notice Paper for to-day, until this day week.
7. Leave of Absence :—On motion of Mr. Cowper leave of absence for fourteen days granted to Terence Aubrey Murray, Esquire.
Council adjourned at a quarter before Four o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JUNE 26.

NOTICES OF MOTION :—

1. MR. DARVALL to move, That the Gas Company's Bill be now read a first time.
2. MR. DARVALL to move for leave to bring in a Bill to enable tenants in tail to alienate real property by simple mode of assurance, and to give effect to assurances already made by them.
3. MR. MURRAY to move, That the Yass School Lands Bill be now read a first time.

ORDERS OF THE DAY :—

1. Cattle Slaughtering Bill ; second reading.
2. Trust Money Bill ; second reading.
3. Police Disfranchising Bill ; second reading.
4. Colonial Agent Bill ; second reading.

WEDNESDAY, JUNE 27.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Publicans' Bill ; second reading.
2. Consideration of Governor's Message No. 29, with St. Philip's School Ground Bill.
3. Aboriginal Natives' Evidence Bill ; second reading.
4. Administration of Criminal Justice Bill ; third reading.

- 5. Administration of Criminal Law Bill; third reading.
- 6. Hawkers and Pedlers' Bill; to be further considered in Committee.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. DICKSON 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 copies of all and every the correspondence which may have taken place between His Honor the Superintendent of Port Phillip and Mr. Surveyor Foote, on the subject of the discovery and existence of a coal mine at Loutit Bay, near to the Town of Geelong, in the District of Port Phillip, accompanied with a request that His Honor will furnish this House with any further information upon the subject which it may be in the power of His Honor to supply.

THURSDAY, JUNE 28.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :

1. Moreton Bay Bill; third reading.
2. Borax and Saltpetre Bill; second reading.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to lay on the Table of this House, a Return of all Moneys expended on Public Works in this Colony during the last fifteen years, distinguishing the amounts appropriated to the Northern, Southern, and Western portions of the Middle District, and the amounts appropriated to Port Phillip.

FRIDAY, JUNE 29.

NOTICE OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill for regulating the trade or business of Pawnbrokers.

ORDERS OF THE DAY :—

1. Merchant Seamen's Bill; second reading.
2. Law of Evidence Bill; second reading.
3. False Declarations Bill; second reading.

THURSDAY, JULY 5.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Courts of Requests and Petty Sessions Auction Bill; second reading.

OTHER BUSINESS—NOTICES OF MOTION.

1. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
2. MR. NICHOLS to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 26 JUNE, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Member sworn:—John Fitzgerald Leslie Foster, Esquire, took the Oath, and, having handed to the Clerk at the Table the following Declaration of his Qualification, took his Seat as a Member for the Electoral District of Port Phillip:—
“ I, John Fitzgerald Leslie Foster, 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
“ above all charges and incumbrances affecting the same, situate in the Parish of
“ Doutragalla County of Bouke and District of Port Phillip, being sections twenty and
“ twenty-one in said Parish, and section three in the Parish of Tullawarino in the
“ said County and District: And that I have not collusively or colorably obtained a
“ title to, or become possessed of the said lands and tenements, or any part thereof,
“ for the purpose of qualifying or enabling me to be returned a Member of the
“ Legislative Council of the Colony of New South Wales.”
JOHN FITZGERALD LESLIE FOSTER.
2. Gas Company's Bill:—On motion of Mr. Darvall, pursuant to notice, this Bill, intituled
“ A Bill further to amend an Act intituled ' An Act for Lighting with Gas the Town
“ of Sydney, in the Colony of New South Wales, and to enable certain persons
“ associated under the name, style, and firm of " The Australian Gas Light Company,"
“ to sue and be sued in the name of the Secretary for the time being of the said Com-
“ pany, and for other purposes therein mentioned", and for better enabling the said
“ Company to purchase, hold, and dispose of real property," read a first time.
3. Postponement:—Mr. Cowper, on behalf of Mr. Murray, postponed the motion standing
in the name of Mr. Murray, third on the Notice Paper for to-day, until this day
fortnight.
4. Real Property Alienation Bill:—Mr. Darvall moved, pursuant to notice, That he have
leave to bring in a Bill to enable tenants in tail to alienate real property by simple
mode of assurance, and to give effect to assurances already made by them.
Debate ensued.
Question put and passed.
5. Para Grass:—The Colonial Secretary, by command of His Excellency the Governor,
laid upon the Table a Correspondence respecting the cultivation of the Para Grass.
Ordered to be printed.
6. Postponement:—On motion of Mr. Nichols, on behalf of Mr. Dangar, the second read-
ing of the Cattle Slaughtering Bill postponed, until Tuesday, the 3rd July next.
7. Trust Money Bill:—Mr. Darvall moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed; Bill read a second time, and ordered to be considered in
Committee on Friday next.
8. Postponement:—On motion of Mr. Nichols, the second reading of the Police Disfran-
chising Bill postponed, until this day week.
9. Colonial Agent Bill, having been read a second time, on motion of Mr. Wentworth, the
Speaker left the Chair, and 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.
Council adjourned at a quarter before Five o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JUNE 27.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Publicans' Bill ; second reading.
2. Consideration of Governor's Message No. 29, with St. Philip's School Ground Bill.
3. Aboriginal Natives' Evidence Bill ; second reading.
4. Administration of Criminal Justice Bill ; third reading.
5. Administration of Criminal Law Bill ; third reading.
6. Hawkers and Pedlers' Bill ; to be further considered in Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. DICKSON 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 copies of all and every the correspondence which may have taken place between His Honor the Superintendent of Port Phillip and Mr. Surveyor Foote, on the subject of the discovery and existence of a coal mine at Loutit Bay, near to the Town of Geelong, in the District of Port Phillip, accompanied with a request that His Honor will furnish this House with any further information upon the subject which it may be in the power of His Honor to supply.
2. MR. BOWMAN to move, That an Address be presented to His Excellency the Governor, praying that a return be laid upon the Table of this House, of all sums collected as Tolls at the bridge over the South Creek, Windsor, commonly called Howes' Bridge, from the 1st January, 1844, up to the 1st January, 1849, and also of all sums expended in the repairs of Roads and Bridges within the Police District of Windsor, within that period.
3. MR. LOWE to move for leave to bring in a Bill to simplify the Law of Real Property in certain respects.

THURSDAY, JUNE 28.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :

1. Moreton Bay Bill ; third reading.
2. Borax and Saltpetre Bill ; second reading.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to lay on the Table of this House, a Return of all Moneys expended on Public Works in this Colony during the last fifteen years, distinguishing the amounts appropriated to the Northern, Southern, and Western portions of the Middle District, and the amounts appropriated to Port Phillip.

FRIDAY, JUNE 29.

NOTICES OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill for regulating the trade or business of Pawnbrokers.
2. MR. W. MACARTHUR to move for leave to bring in a Bill to effect the change in the style and title of the Corporation of Melbourne rendered necessary by the erection of the Town of Melbourne into a city.
3. MR. DARVALL to move, That the Gas Company's Bill be referred to the consideration of a Select Committee, to consist of Mr. Lamb, Mr. Bowman, The Attorney General, and Mr. Foster.
4. MR. DARVALL to move, That the Real Property Alienation Bill be now read a first time.

ORDERS OF THE DAY :—

1. Merchant Seamen's Bill ; second reading.
2. Law of Evidence Bill ; second reading.
3. False Declarations Bill ; second reading.
4. Trust Money Bill ; to be considered in Committee.

TUESDAY, JULY 3.

1. Cattle Slaughtering Bill ; second reading.
2. Police Disfranchising Bill ; second reading.
3. Colonial Agent Bill ; to be further considered in Committee.

THURSDAY,

THURSDAY, JULY 5.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Courts of Requests and Petty Sessions Auction Bill; second reading.

OTHER BUSINESS—NOTICES OF MOTION.

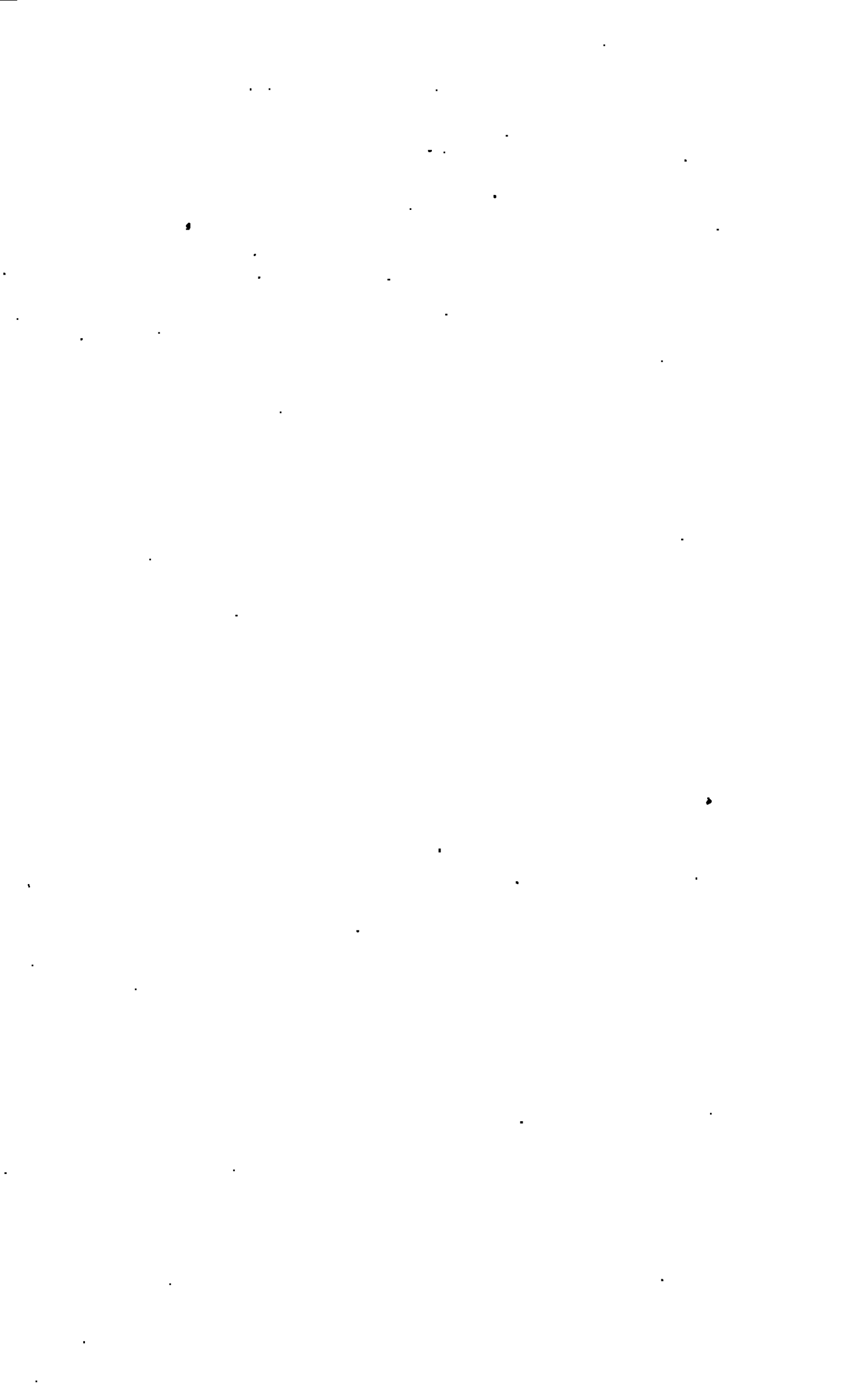
1. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
2. MR. NICHOLS to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.

TUESDAY, JULY 10.

NOTICE OF MOTION :—

1. MR. MURRAY to move, That the Yass School Lands Bill be now read a first time.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 27 JUNE, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Orders in Council and Proclamations affecting Crown Lands:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table certain Despatches having reference to Orders in Council and Proclamations under them affecting Crown Lands.
Ordered to be printed, and referred to the Land and Immigration Committee now sitting.
2. Postponement:—On motion of the Attorney General, the second reading of the Publicans' Bill postponed, until this day week.
3. St. Philips' School Ground Bill:—The Governor's Message No. 29, received with this Bill on the 19th instant, having been read on motion of the Attorney General,—
The Colonial Secretary moved, That the Bill accompanying the Governor's Message be now read a first time.
Question put and passed; and Bill, intituled, "*A Bill to enable the Trustees of the Church of England School House, Parish of St. Philip, Sydney, to surrender a certain piece of Ground in Sydney aforesaid, to the Crown, on receiving a Grant from the Crown of another portion of Ground of equal value,*" read a first time; to be read a second time this day week.
4. Aboriginal Natives' Evidence Bill:—The Attorney General moved, That this Bill be now read a second time.
Debate ensued.
Question put.
Council divided.

<p>Ayes, 9.</p> <p>The Colonial Secretary, The Attorney General, The Collector of Customs, The Auditor General, Mr. Berry, Dr. Dickson, Mr. Macintyre, Mr. Allen, Mr. Parker, (Teller.)</p>	<p>Noes, 10.</p> <p>Mr. Hamilton, Mr. Oakes, Mr. Lowe, Mr. Wentworth, Mr. J. Macarthur, Mr. Bowman Mr. Fitzgerald, Mr. Nichols, Mr. Icely, Mr. Cowper, (Teller.)</p>
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5. Administration of Criminal Justice Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Attorney General, read a third time, and *passed*.
6. Administration of Criminal Law Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Attorney General, read a third time, and *passed*.
7. Postponements:—
 - (1.) The further consideration in Committee of the Hawkers' and Pedlers' Bill postponed, on motion of the Colonial Secretary, until this day week.
 - (2.) Dr. Dickson postponed the motion standing in his name first on the Notice Paper of Other Business for to-day, until to-morrow.
8. Howe's Bridge, Windsor:—Mr. Bowman moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that a Return be laid upon the Table of this House, of all sums collected as Tolls at the bridge over the South Creek, Windsor, commonly called Howe's Bridge, from the 1st January, 1844, up to the 1st January, 1849, and also of all sums expended in the repairs of Roads and Bridges within the Police District of Windsor, within that period.
Question put and passed; Address to be presented by the Speaker.
9. Postponement:—Mr. Lowe postponed the motion standing in his name third on the Notice Paper of Other Business for to-day, until to-morrow.
Council adjourned at a quarter before Eight o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JUNE 28.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :

1. Moreton Bay Bill ; third reading.
2. Borax and Saltpetre Bill ; second reading.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to lay on the Table of this House, a Return of all Moneys expended on Public Works in this Colony during the last fifteen years, distinguishing the amounts appropriated to the Northern, Southern, and Western portions of the Middle District, and the amounts appropriated to Port Phillip.
2. MR. FITZGERALD to move, for leave to bring in a Bill to prevent the escape from the Colony of fraudulent Debtors.
3. DR. DICKSON 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 copies of all and every the correspondence which may have taken place between His Honor the Superintendent of Port Phillip and Mr. Surveyor Foote, on the subject of the discovery and existence of a coal mine at Lontit Bay, near to the Town of Geelong, in the District of Port Phillip, accompanied with a request that His Honor will furnish this House with any further information upon the subject which it may be in the power of His Honor to supply.
4. MR. LOWE to move for leave to bring in a Bill to simplify the Law of Real Property in certain respects.

FRIDAY, JUNE 29.

NOTICES OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill for regulating the trade or business of Pawnbrokers.
2. MR. W. MACARTHUR to move for leave to bring in a Bill to effect the change in the style and title of the Corporation of Melbourne rendered necessary by the erection of the Town of Melbourne into a city.
3. MR. DARVALL to move, That the Gas Company's Bill be referred to the consideration of a Select Committee, to consist of Mr. Lamb, Mr. Bowman, The Attorney General, and Mr. Foster.
4. MR. DARVALL to move, That the Real Property Alienation Bill be now read a first time.
5. MR. FOSTER to move, That a Select Committee of five members be appointed to enquire into the state of the Aboriginal Inhabitants of this Colony, more especially with regard to the success or failure of the present Protectorate system in Port Phillip;—Committee to consist of Dr. Dickson, Mr. Wm. Macarthur, Mr. Murray, and Mr. Hamilton.
6. MR. HAMILTON 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 Return shewing the number of cases tried at Nisi Prius throughout the Middle District, from 1st June, 1847, to 1st June, 1849, and specifying in how many cases the verdicts obtained have been disturbed on application to the Supreme Court in Sydney.
7. MR. HAMILTON 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 Return shewing the amount collected by assessment in each of the Squatting Districts, and the application thereof, since the 1st of January, 1848.

ORDERS OF THE DAY :—

1. Merchant Seamen's Bill ; second reading.
2. Law of Evidence Bill ; second reading.
3. False Declarations Bill ; second reading.
4. Trust Money Bill ; to be considered in Committee.

TUESDAY, JULY 3.

NOTICES OF MOTION :—

1. DR. DICKSON to move for leave to bring in a Bill for the future regulation of the Medical Profession in New South Wales.
2. DR. DICKSON to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to make a representation to Earl Grey, Her Majesty's Principal Secretary of State for the Colonies, of the pressing necessity for a supply of labor in the Town and District of Portland, accompanying the same with a request that
His

His Lordship will instruct the Honorable the Land and Emigration Commissioners to dispatch one or more ships, with a short interval between their respective dates of sailing, direct for the above-named destination, each ship to convey at least 250 souls of mixed Emigrants; and, until the arrival of such supply, that His Excellency will be pleased to issue instructions to His Honor the Superintendent of Port Phillip, that in the event of His Honor finding it impossible to induce Immigrants to undertake a second voyage, he will cause to be forwarded to Portland and to Belfast the Exiles that may in the meantime arrive at Melbourne, or such a number of those men as it may be the desire of the Colonists to receive.

3. MR. FOSTER to move for leave to bring in a Bill to regulate Presbyterian Marriages.

ORDERS OF THE DAY :—

1. Cattle Slaughtering Bill; second reading.
2. Police Disfranchising Bill; second reading.
3. Colonial Agent Bill; to be further considered in Committee.

WEDNESDAY, JULY 4.

1. Publicans' Bill; second reading.
2. St. Philip's School Ground Bill; second reading.
3. Hawkers' and Pedlers' Bill; to be further considered in Committee.

THURSDAY, JULY 5.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Courts of Requests and Petty Sessions Auction Bill; second reading.

OTHER BUSINESS—NOTICES OF MOTION.

1. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
2. MR. NICHOLS to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.

TUESDAY, JULY 10.

NOTICE OF MOTION :—

1. MR. MURRAY to move, That the Yass School Lands Bill be now read a first time.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 28 JUNE, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Messages :—The following Messages from His Excellency the Governor received and read :—

(1.) Spirits' Duties Protection Bill :—

CH^S. A. FITZ ROY,
Governor.

Message No. 31.

In accordance with the provisions of the Act for the Government of New South Wales, 5 and 6 Victoria, Cap 76, the Governor transmits to the Legislative Council the Draft of a Bill "to prevent unlawful Distillation, and to provide for the protection of the Revenue arising from the Duties on Spirits."

Government House, Sydney,
28th June, 1849.

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

(2.) Distillation Bill :—

CH^S. A. FITZ ROY,
Governor.

Message No. 32.

In accordance with the provisions of the Act for the Government of New South Wales, 5 and 6 Victoria, Cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill "to consolidate and amend the laws relating to the distillation, rectifying, and compounding of Spirits, and to authorise and regulate the warehousing under Bond, and the exportation free of duty of Spirits distilled within the Colony of New South Wales, and to repeal certain laws relating thereto."

Government House, Sydney,
28th June, 1849.

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

2. Moreton Bay Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and passed.
The Colonial Secretary then moved, that the following be the title of the Bill, viz. :—
"An Act to constitute Moreton Bay a Warehousing Port."
Question put and passed.
3. Borax and Saltpetre Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
4. Expenditure on Public Works :—Mr. Nichols moved, pursuant to amended notice, That an Address be presented to His Excellency the Governor, praying that he will be pleased to lay on the Table of this House, a Return of all Moneys expended on Public Works in this Colony during the last fifteen years, distinguishing the amounts expended in the Northern, Southern, and Western portions of the Middle District, and the amounts expended in the Port Phillip District.
Debate ensued.
Motion by leave withdrawn.
5. Postponement :—Mr. Nichols, on behalf of Mr. Fitzgerald, postponed the motion standing in Mr. Fitzgerald's name second on the Notice Paper of Other Business for to-day, until to-morrow.

6. Coal Mine, Loutit Bay:—Dr. Dickson 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, copies of all and every the correspondence which may have taken place between His Honor the Superintendent of Port Phillip and Mr. Surveyor Foote, on the subject of the discovery and existence of a coal mine at Loutit Bay, near to the Town of Geelong, in the District of Port Phillip, accompanied with a request that His Honor will furnish this House with any further information upon the subject which it may be in the power of His Honor to supply.
Question put and passed; Address to be presented by the Speaker.
7. Real Property Law Bill:—Mr. Lowe moved, pursuant to notice, that he have leave to bring in a Bill to simplify the Law of Real Property in certain respects.
Question put and passed; *ordered* that the mover and seconder, together with the Attorney General, prepare and bring in the Bill.
Council adjourned at a quarter after Four o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

FRIDAY, JUNE 29.

NOTICES OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill for regulating the trade or business of Pawnbrokers.
2. MR. W. MACARTHUR to move for leave to bring in a Bill to effect the change in the style and title of the Corporation of Melbourne rendered necessary by the erection of the Town of Melbourne into a city.
3. MR. DARVALL to move, That the Gas Company's Bill be referred to the consideration of a Select Committee, to consist of Mr. Lamb, Mr. Bowman, The Attorney General, and Mr. Foster.
4. MR. DARVALL to move, That the Real Property Alienation Bill be now read a first time.
5. MR. FOSTER to move, That a Select Committee of five members be appointed to inquire into the state of the Aboriginal Inhabitants of this Colony, more especially with regard to the success or failure of the present Protectorate system in Port Phillip;—Committee to consist of Dr. Dickson, Mr. Wm. Macarthur, Mr. Murray, and Mr. Hamilton.
6. MR. HAMILTON 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 Return shewing the number of cases tried at Nisi Prius throughout the Middle District, from 1st June, 1847, to 1st June, 1849, and specifying in how many cases the verdicts obtained have been disturbed on application to the Supreme Court in Sydney.
7. MR. HAMILTON 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 Return shewing the amount collected by assessment in each of the Squatting Districts, and the application thereof, since the 1st of January, 1848.
8. MR. FITZGERALD to move, for leave to bring in a Bill to prevent the escape from the Colony of fraudulent Debtors.

ORDERS OF THE DAY :—

1. Merchant Seamen's Bill; second reading.
2. Law of Evidence Bill; second reading.
3. False Declarations Bill; second reading.
4. Trust Money Bill; to be considered in Committee.

TUESDAY, JULY 3.

NOTICES OF MOTION :—

1. DR. DICKSON to move for leave to bring in a Bill for the future regulation of the Medical Profession in New South Wales.
2. DR. DICKSON to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to make a representation to Earl Grey, Her Majesty's Principal Secretary of State for the Colonies, of the pressing necessity for a supply of labor in the Town and District of Portland, accompanying the same with a request that His Lordship will instruct the Honorable the Land and Emigration Commissioners to dispatch one or more ships, with a short interval between their respective dates of sailing, direct for the above-named destination, each ship to convey at least 250 souls of mixed Emigrants; and, until the arrival of such supply, that His Excellency will be pleased to issue instructions

instructions to His Honor the Superintendent of Port Phillip, that in the event of His Honor finding it impossible to induce Inmigrants to undertake a second voyage, he will cause to be forwarded to Portland and to Belfast the Exiles that may in the meantime arrive at Melbourne, or such a number of those men as it may be the desire of the Colonists to receive.

- 3. Mr. FOSTER to move for leave to bring in a Bill to regulate Presbyterian Marriages.
- 4. Mr. MACINTYRE to move, That a Select Committee be appointed to inquire into the state of the Breakwater at Newcastle;—the Committee to consist of the Colonial Secretary, Colonel Snodgrass, Mr. Hamilton, Mr. Wentworth, Mr. Dangar, Mr. Nichols, and Dr. Dickson.

ORDERS OF THE DAY :—

- 1. Cattle Slaughtering Bill ; second reading.
- 2. Police Disfranchising Bill ; second reading.
- 3. Colonial Agent Bill ; to be further considered in Committee.

WEDNESDAY, JULY 4.

- 1. Publicans' Bill ; second reading.
- 2. St. Philip's School Ground Bill ; second reading.
- 3. Hawkers' and Pedlers' Bill ; to be further considered in Committee.
- 4. Consideration of Governor's Message No. 31, with Spirits' Duties Protection Bill.
- 5. Consideration of Governor's Message, No. 32, with Distillation Bill.

THURSDAY, JULY 5.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

- 1. Courts of Requests and Petty Sessions Auction Bill ; second reading.
- 2. Borax and Saltpetre Bill ; third reading.

OTHER BUSINESS—NOTICES OF MOTION.

- 1. Mr. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
- 2. Mr. NICHOLS to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.

TUESDAY, JULY 10.

NOTICE OF MOTION :—

- 1. Mr. MURRAY to move, That the Yass School Lands Bill be now read a first time.

CHARLES NICHOLSON,
Speaker.



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VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

FRIDAY, 29 JUNE, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Member sworn:—Stuart Alexander Donaldson, Esquire, took the Oath, and, having handed to the Clerk at the Table the following Declaration of his Qualification, took his seat as Member for the Electoral District of Durham:—

“ I, Stuart Alexander Donaldson do declare and testify, That I am duly seised at Law or in Equity of an Estate in freehold, for my own use and benefit, in lands or tenements in the Colony of New South Wales of the yearly value of one hundred and fifty pounds sterling and of the value of two thousand pounds sterling money above all charges and incumbrances affecting the same, situate in the City of Sydney—Parish of Alexandria—at Woolloomooloo Hill,—having a frontage of one hundred and forty feet more or less to MacLeay Street, containing by admeasurement one acre more or less, and having erected on it a stone windmill, in work, and under lease, together with a dwelling house and out offices—the estate being mine in fee simple: And I have not collusively or colorably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales.”

STUART A. DONALDSON.

Sydney 29 June 1849.

2. Pawnbrokers' Bill:—Mr. Nichols moved, pursuant to notice, That he have leave to bring in a Bill for regulating the trade or business of Pawnbrokers.
Question put and passed; *ordered* that the mover and seconder, together with the Attorney General, prepare and bring in the Bill.
3. Melbourne City Bill:—Mr. W. Macarthur moved, pursuant to notice, That he have leave to bring in a Bill to effect the change in the style and title of the Corporation of Melbourne rendered necessary by the erection of the Town of Melbourne into a City.
Question put and passed; *ordered* that the mover and seconder prepare and bring in the Bill.
4. Gas Company's Bill:—Mr. Darvall moved, pursuant to notice, That the Gas Company's Bill be referred to the consideration of a Select Committee, to consist of Mr. Lamb, Mr. Bowman, The Attorney General, and Mr. Foster.
Question put and passed.
5. Motion withdrawn:—Mr. Darvall withdrew the motion standing in his name fourth on the Notice Paper for to-day.
6. Aborigines and Protectorate:—Mr. Foster moved, pursuant to notice, That a Select Committee of five members be appointed to inquire into the state of the Aboriginal Inhabitants of this Colony, more especially with regard to the success or failure of the present Protectorate system in Port Phillip;—Committee to consist of Dr. Dickson, Mr. Wm. Macarthur, Mr. Murray, and Mr. Hamilton.
The Attorney General required that the Committee be appointed by Ballot.
Debate of the Question then ensued.
Question—That a Select Committee of five Members be appointed to inquire into the state of the Aboriginal Inhabitants of this Colony, more especially with regard to the success or failure of the present Protectorate system in Port Phillip—put and passed;—Whereupon, pursuant to the request of the Attorney General, the Council proceeded to the Ballot, and the following Members were declared to have the greatest number of votes, and to be, with the mover, the Committee duly appointed, viz. ;—Dr. Dickson, Mr. Wm. Macarthur, Mr. Hamilton, Mr. Suttor, and Mr. Cowper.
7. Nisi Prius Cases:—Mr. Hamilton moved, pursuant to *amended* 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, a Return showing the number of cases tried at Nisi Prius throughout the Middle District, from 1st June, 1843, to 1st June, 1849, and specifying in how many cases applications have been made to the Supreme Court in Sydney to set aside the verdicts obtained, and in how many these applications have been successful.
Debate ensued.
Question put.

Council

Council divided.

Ayes, 17.

Mr. W. Macarthur,
The Colonial Secretary,
The Attorney General,
The Auditor General,
Mr. Lowe,
Mr. Foster,
Mr. Fitzgerald,
Mr. Oakes,
Mr. Macintyre,
Mr. Allen,
Mr. Suttor,
Mr. Parker,
Mr. Donaldson,
Mr. Wentworth,
Mr. Hamilton,
Dr. Dickson,
Mr. Cowper, (Teller.)

Noes, 1.

Mr. Darvall, (Teller.)

Address to be presented by the Speaker and the Colonial Secretary.

8. Assessment on Stock:—Mr. Hamilton moved, pursuant to *amended* 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, a Return shewing the amount collected by Assessment in each of the Squatting Districts, and the application thereof, from the 1st January to the 31st December, 1848.
Debate ensued.
Question put and passed; Address to be presented by the Speaker and the Colonial Secretary.
9. Melbourne City Bill:—Mr. W. Macarthur having presented "*A Bill to effect the change in the style and title of the Corporation of Melbourne rendered necessary by the erection of the Town of Melbourne into a City:*" Bill read a first time; ordered to be printed, and read a second time on Friday next.
10. Fraudulent Debtors' Bill:—Mr. Fitzgerald moved, pursuant to notice, That he have leave to bring in a Bill to prevent the escape from the Colony of fraudulent Debtors.
Debate ensued.
Question put and passed; *ordered* that the mover and seconder prepare and bring in the Bill.
11. Merchant Seamen's Bill, on motion of Mr. Nichols, read a second time, and ordered to be considered in Committee on Friday next.
12. Law of Evidence Bill, on motion of Mr. Nichols, read a second time, and ordered to be considered in Committee on Tuesday next.
13. False Declarations Bill:—Mr. Lowe moved, That this Bill be now read a second time.
Debate ensued.
Question put.
Council divided.

Ayes, 12.

Mr. Oakes,
Mr. Cowper,
Mr. Allen,
Mr. Lowe,
The Colonial Secretary,
Mr. Parker,
Mr. Foster,
Mr. W. Macarthur,
Mr. Darvall,
The Attorney General,
Mr. Suttor,
Mr. Donaldson, (Teller.)

Noes, 5.

Mr. Wentworth,
Mr. Hamilton,
Mr. Macintyre,
Mr. Fitzgerald,
Mr. Nichols, (Teller.)

Bill read a second time,—

Whereupon, on motion of Mr. Lowe, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for consideration thereof.

The Chairman having reported the Bill with Amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Tuesday next.

14. Postponement:—The consideration in Committee of the Trust Money Bill postponed, on motion of Mr. Darvall, until Tuesday next:
Council adjourned at nine o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

TUESDAY, JULY 3.

NOTICES OF MOTION :—

1. DR. DICKSON to move for leave to bring in a Bill for the future regulation of the Medical Profession in New South Wales.
2. DR. DICKSON to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to make a representation to Earl Grey, Her Majesty's Principal Secretary of State for the Colonies, of the pressing necessity for a supply of labor in the Town and District of Portland, accompanying the same with a request that His Lordship will instruct the Honorable the Land and Emigration Commissioners to dispatch one or more ships, with a short interval between their respective dates of sailing, direct for the above-named destination, each ship to convey at least 250 souls of mixed Emigrants; and, until the arrival of such supply, that His Excellency will be pleased to issue instructions to His Honor the Superintendent of Port Phillip, that in the event of His Honor finding it impossible to induce Immigrants to undertake a second voyage, he will cause to be forwarded to Portland and to Belfast the Exiles that may in the meantime arrive at Melbourne, or such a number of those men as it may be the desire of the Colonists to receive.
3. MR. FOSTER to move for leave to bring in a Bill to regulate Presbyterian Marriages.
4. MR. MACINTYRE to move, That a Select Committee be appointed to inquire into the state of the Breakwater at Newcastle;—the Committee to consist of the Colonial Secretary, Colonel Snodgrass, Mr. Hamilton, Mr. Wentworth, Mr. Dangar, Mr. Nichols, and Dr. Dickson.
5. MR. FOSTER to move, That an Address be presented to His Excellency the Governor, praying him to cause to be laid on the Table of this House, a copy of the Report of the Survey of the Bars at Melbourne and Geelong.

ORDERS OF THE DAY :—

1. Cattle Slaughtering Bill; second reading.
2. Police Disfranchising Bill; second reading.
3. Colonial Agent Bill; to be further considered in Committee.
4. Law of Evidence Bill; to be considered in Committee.
5. False Declarations Bill; third reading.
6. Trust Money Bill; to be considered in Committee.

WEDNESDAY, JULY 4.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Publicans' Bill; second reading.
2. St. Philip's School Ground Bill; second reading.
3. Hawkers' and Pedlers' Bill; to be further considered in Committee.
4. Consideration of Governor's Message No. 31, with Spirits' Duties Protection Bill.
5. Consideration of Governor's Message, No. 32, with Distillation Bill.

THURSDAY, JULY 5.

1. Courts of Requests and Petty Sessions Auction Bill; second reading.
2. Borax and Saltpetre Bill; third reading.

OTHER BUSINESS—NOTICES OF MOTION.

1. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
2. MR. NICHOLS to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.

FRIDAY,

FRIDAY, JULY 6.

NOTICE OF MOTION :—

1. **MR. DONALDSON** to move, That this Council having duly considered the subject of the establishment of Steam Communication with the Mother Country, and having reviewed the following facts :—

That a Committee of this Council reported upon this subject in the Session of 1846, and agreed to a vote of £500 per month for three years, to be paid to the first Company which might establish Steam Communication with Europe by way of Singapore.

That the Lords of the Treasury, as well as the Lords of the Admiralty, and especially Admiral Beaufort, then Hydrographer to the Admiralty, have recommended the same route, and have arrived at the same conclusions as the Committee of this Council on the mode of carrying out this object.

That a Committee of this Council again reported on this subject in the Session of 1848, and that Resolutions were unanimously agreed to by this Council at the close of the same Session.

This Report and these Resolutions being acknowledged by the Right Honorable the Secretary of State for the Colonies, in his Despatch dated 28th December 1848, now before this Council, this Council do now resolve :—

First—That notwithstanding these several Reports, and the promises hold out by the Secretary of State in the said Despatch, this Council does not see any prospect of receiving the benefit of Steam Communication with the Mother Country within a reasonable time.

Second—That this Council does express a feeling of deep regret and disappointment that the Colony of New South Wales should have been so long and so unnecessarily deprived of this great benefit.

That an Address be presented to His Excellency the Governor, praying that he will forward a copy of these Resolutions to the Right Honorable the Secretary of State for the Colonies, to be laid before Her Majesty.

ORDERS OF THE DAY :—

1. Melbourne City Bill ; second reading.
2. Merchant Seamen's Bill ; to be considered in Committee.

 TUESDAY, JULY 10.

NOTICE OF MOTION :—

1. **MR. MURRAY** to move, That the Yags School Lands Bill be now read a first time.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 3 JULY, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Member sworn :—Daniel Cooper, Junior, Esquire, took the Oath, and, having handed to the Clerk at the Table the following Declaration of his Qualification, took his seat as Member for the Electoral District of St. Vincent and Auckland :—

“ I, Daniel Cooper, Junior, do declare and testify, That I am duly seised at Law or 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 ;—that is to say, at Law, of an Estate of six hundred and forty acres of land with improvements thereon, situate in the County of Argyle, at Mullingullinga and also of an allotment of land in the City of Sydney with three Cottages thereon, situate at Chippendale, being lot No. 6, section 3, and in Equity of one-fifth share of the following properties, subject to the life interest of Mrs. Mary Hill, viz. :—All that piece or parcel of land situate in the City of Sydney, at the corner of Elizabeth and Bathurst streets, with four houses thereon—and all that piece or parcel of land on the east side of Pitt-street, in the said City of Sydney, being one moiety of a Grant of forty and a half rods to John Smith, with Cottage thereon—and all that piece or parcel of land on the west side of Pitt-street, in the said City of Sydney, granted to one Christopher Webb, with two houses thereon—the said City of Sydney being in the County of Cumberland : And that I have not collusively nor colorably obtained a title to nor become possessed of the said lands and tenements, nor 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.”

DANIEL COOPER, Junr.
Dated at Sydney, in the Colony of New South Wales, this third day of July, A.D. 1849.
2. Real Property Law Bill :—Mr. Lowe having presented “ *A Bill to simplify the Law of Real Property,*” Bill read a first time ; ordered to be printed, and read a second time this day week.
3. Medical Profession Bill :—Dr. Dickson moved, pursuant to notice, That he have leave to bring in a Bill for the future regulation of the Medical Profession in New South Wales.
Question put and passed ; *ordered* that Dr. Dickson and the Attorney General prepare and bring in the Bill.
4. Motion withdrawn :—Dr. Dickson withdrew the Motion standing in his name second on the Notice Paper for to-day.
5. Mechanics of Geelong :—Dr. Dickson presented a Petition from certain mechanics and tradesmen of Geelong, Port Phillip, praying that all sums granted for may also be expended upon Public Works in Geelong.
Petition received.
6. Geelong :—Dr. Dickson presented a Petition from certain Inhabitants of the town and suburbs of Geelong, in public meeting assembled, praying the Incorporation of Geelong, and aid from the General Revenue towards the improvement of the town.
Petition received.
7. Presbyterian Marriage Bill :—Mr. Foster moved, pursuant to notice, that he have leave to bring in a Bill to regulate Presbyterian Marriages.
Question put and passed ; *ordered* that the mover and seconder prepare and bring in the Bill.
8. Newcastle Breakwater :—Mr. Macintyre moved, pursuant to notice, That a Select Committee be appointed to inquire into the state of the Breakwater at Newcastle ;—the Committee to consist of the Colonial Secretary, Colonel Snodgrass, Mr. Hamilton, Mr. Wentworth, Mr. Dangar, Mr. Nichols, and Dr. Dickson.
Question put and passed.
9. Melbourne and Geelong Bars :—Mr. Foster moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying him to cause to be laid on the Table of this House a copy of the Report of the Survey of the Bars at Melbourne and Geelong.
Question put and passed ; Address to be presented by the Speaker and the Colonial Secretary.
10. Cattle Slaughtering Bill :—Mr. Dangar moved, that this Bill be “ now ” read a second time.
Mr. Donaldson moved, as an amendment, that the word “ now ” be omitted with a view to the insertion in its place of the words “ this day six months.”

Question

Question put, That the word proposed to be omitted stand part of the question.
Council divided.

Ayes, 13.
The Colonial Secretary,
Mr. Berry,
Colonel Snodgrass,
The Auditor General,
Mr. Macintyre,
Mr. Oakes,
Mr. Dangar,
Mr. Icely,
The Collector of Customs,
Mr. Allen,
Mr. James Macarthur,
Dr. Dickson,
Mr. Hamilton, (Teller.)

Noes, 9.
Mr. Parker,
Mr. Donaldson,
Mr. Lowe,
Mr. Cooper,
Mr. Nichols,
Mr. Bowman,
The Colonial Treasurer,
The Attorney General,
Mr. Cowper, (Teller.)

Question put, That this Bill be now read a second time.
Council divided.

Ayes, 13.
The Colonial Secretary,
Mr. Berry,
The Auditor General,
Mr. Macintyre,
Colonel Snodgrass,
Mr. Oakes,
Mr. Dangar,
The Collector of Customs,
Mr. Icely,
Mr. Allen,
Mr. J. Macarthur,
Dr. Dickson,
Mr. Hamilton, (Teller.)

Noes, 9.
Mr. Parker,
Mr. Donaldson,
Mr. Lowe,
Mr. Cooper,
Mr. Bowman,
The Colonial Treasurer,
Mr. Nichols,
The Attorney General,
Mr. Cowper, (Teller.)

Bill read a second time; to be considered in Committee this day week.

11. Police Disfranchising Bill, discharged from the Paper, on motion of Mr. Nichols.
12. Postponement:—On motion of Mr. Donaldson, on behalf of Mr. Wentworth, the further consideration in Committee of the Colonial Agent Bill postponed, until Friday next.
13. Law of Evidence Bill:—On motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Thursday next.
14. False Declarations Bill:—On the Order of the Day for the third reading of this Bill being read, the Attorney General moved, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the purpose of considering a clause proposed to be added to the Bill.
Debate ensued.
Question put and passed; and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with an additional Clause, the Council adopted the same, and ordered the Bill, as so reported, to be re-engrossed, and read a third time to-morrow.
15. Postponement:—On motion of Mr. James Macarthur, on behalf of Mr. Darvall, the consideration in Committee of the Trust Money Bill postponed, until this day week.
Council adjourned at half past Five o'clock, until To-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

WEDNESDAY, JULY 4.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Publicans' Bill; second reading.
2. St. Philip's School Ground Bill; second reading.
3. Hawkers' and Pedlers' Bill; to be further considered in Committee.
4. Consideration of Governor's Message No. 31, with Spirits' Duties Protection Bill.
5. Consideration of Governor's Message, No. 32, with Distillation Bill.

OTHER BUSINESS—ORDER OF THE DAY.

1. False Declarations Bill; third reading.

THURSDAY,

THURSDAY, JULY 5.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. THE COLONIAL SECRETARY to move, That this Council do now resolve itself into a Committee of the whole Council, for the purpose of taking into consideration the Report of the Law Commission presented to the Council by His Excellency the Governor, in His Message of the 14th ultimo, so far as the recommendations contained therein affect New South Wales Proper.

ORDERS OF THE DAY :—

1. Courts of Requests and Petty Sessions Auction Bill; second reading.
2. Borax and Saltpetre Bill; third reading.

OTHER BUSINESS—NOTICES OF MOTION.

1. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
2. MR. NICHOLS to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.
3. MR. DONALDSON 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 shewing, in a tabular form :—

The gross amount in each year for ten years, from 1838 to 1848, of the General Revenue.

The gross amount in each year for ten years, from 1838 to 1848, of the Territorial Revenue.

The gross amount in each year for ten years, from 1838 to 1848, of the actual disbursements out of the General Revenue.

The gross amount in each year for ten years, from 1838 to 1848, of the actual disbursements out of the Territorial Revenue.

The gross amount in each year for ten years, from 1838 to 1848, of the balance carried over in each year of the General Revenue.

The gross amount in each year for ten years, from 1838 to 1848, of the balance carried over in each year of the Territorial Revenue.

Also, a Return shewing for four years, from 1845 to 1848, both years inclusive—

The amount voted by the Legislative Council in each year, over and above the amount reserved by the Schedules A, B, and C.

The amount actually disbursed by virtue of the Appropriation Act in each year, over and above the amount disbursed out of the Schedules A, B, and C.

The actual balance in each year remaining in the hands of the Colonial Treasurer, shewing what amount of such balance has been voted but not disbursed in each year.

ORDER OF THE DAY :—

1. Law of Evidence Bill; to be further considered in Committee.

FRIDAY, JULY 6.

NOTICE OF MOTION :—

1. MR. DONALDSON to move, That this Council having duly considered the subject of the establishment of Steam Communication with the Mother Country, and having reviewed the following facts :—

That a Committee of this Council reported upon this subject in the Session of 1846, and agreed to a vote of £500 per month for three years, to be paid to the first Company which might establish Steam Communication with Europe by way of Singapore.

That the Lords of the Treasury, as well as the Lords of the Admiralty, and especially Admiral Beaufort, then Hydrographer to the Admiralty, have recommended the same route, and have arrived at the same conclusions as the Committee of this Council on the mode of carrying out this object.

That a Committee of this Council again reported on this subject in the Session of 1848, and that Resolutions were unanimously agreed to by this Council at the close of the same Session.

This Report and these Resolutions being acknowledged by the Right Honorable the Secretary of State for the Colonies, in his Despatch dated 28th December 1848, now before this Council, this Council do now resolve :—

First—That notwithstanding these several Reports, and the promises held out by the Secretary of State in the said Despatch, this Council does not see any prospect of receiving the benefit of Steam Communication with the Mother Country within a reasonable time.

Second—That this Council does express a feeling of deep regret and disappointment that the Colony of New South Wales should have been so long and so unnecessarily deprived of this great benefit.

That an Address be presented to His Excellency the Governor, praying that he will forward a copy of these Resolutions to the Right Honorable the Secretary of State for the Colonies, to be laid before Her Majesty.

ORDERS

ORDERS OF THE DAY :—

1. Melbourne City Bill; second reading.
 2. Merchant Seamen's Bill; to be considered in Committee.
 3. Colonial Agent Bill; to be further considered in Committee.
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TUESDAY, JULY 10.

NOTICE OF MOTION :—

1. Mr. MURRAY to move, That the Yass School Lands Bill be now read a first time.

ORDERS OF THE DAY :—

1. Real Property Law Bill; second reading.
2. Cattle Slaughtering Bill; to be considered in Committee.
3. Trust Money Bill; to be considered in Committee.

CHARLES NICHOLSON,

Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 4 JULY, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Postponements :—
(1.) The second reading of the Publicans' Bill postponed, on motion of the Attorney General, until this day week.
(2.) The second reading of the St. Philip's School Ground Bill postponed, on motion of the Colonial Secretary, until to-morrow.
2. Hawkers' and Pedlers' Bill :—The Colonial Secretary moved, That the further consideration of this Bill in Committee be postponed, until this day week.
Debate ensued.
3. Quit Rents :—The following Message from His Excellency the Governor received and read :—

CH^s. A. FITZ ROY,
Governor.

Message No. 33.

The Governor places before the Legislative Council the copy of a Despatch from Her Majesty's Secretary of State for the Colonies which he has received by the last Packet in reply to the Address of the Council adopted on 16th May 1848, "praying that Her Majesty will give directions that the Claims of the Crown for "Quit Rents be absolutely remitted."

Government House, Sydney,
4th July, 1849.

Ordered to be printed, together with the accompanying Despatch.

4. Hawkers' and Pedlers' Bill :—The Debate on the Colonial Secretary's motion, That the further consideration of this Bill in Committee be postponed until this day week, interrupted by Message from the Governor, resumed.
Question put and passed.
5. Spirits' Duties Protection Bill :—The Governor's Message No. 31, received with this Bill on the 28th ultimo, having been read, on motion of the Colonial Secretary, Bill, intituled, "A Bill to prevent unlawful Distillation, and to provide for the protection of "the Revenue arising from the Duties on Spirits," read a first time; to be read a second time to-morrow.
6. Distillation Bill :—The Governor's Message No. 32, received with this Bill on the 28th ultimo, having been read, on motion of the Colonial Secretary, Bill, intituled, "A Bill "to consolidate and amend the Laws relating to the Distillation, Rectifying, and Com-
"pounding of Spirits, and to authorise and regulate the Warehousing, unwar bond, and
"the exportation, free of duty, of Spirits distilled within the Colony of New South
"Wales, and to repeal certain Laws relating thereto," read a first time; to be read a second time to-morrow.
7. False Declarations Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Lowe, read a third time, and passed.
Mr. Lowe then moved, That the following be the title of the Bill, viz :—"An Act to
"punish false Declarations by Members of the Legislative Council, and to give certain
"Select Committees thereof power to examine and compel the attendance of Witnesses."
Question put and passed.
8. Medical Profession Bill :—Dr. Dickson having presented "A Bill to regulate the Medi-
"cal Profession," Bill read a first time; ordered to be printed, and read a second time on Tuesday week.
9. Fraudulent Debtors Bill :—Mr. Fitzgerald having presented "A Bill to prevent the
"escape from the Colony of fraudulent Debtors," Bill read a first time; ordered to be printed, and read a second time this day week.
Council adjourned at a quarter before Five o'clock, until To-morrow at Three o'clock,

NOTICES OF MOTION AND ORDERS OF THE DAY

THURSDAY, JULY 5.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. **THE COLONIAL SECRETARY** to move, That this Council do now resolve itself into a Committee of the whole Council, for the purpose of taking into consideration the Report of the Law Commission presented to the Council by His Excellency the Governor, in His Message of the 14th ultimo, so far as the recommendations contained therein affect New South Wales Proper.

ORDERS OF THE DAY :—

1. Courts of Requests and Petty Sessions Auction Bill; second reading.
2. Borax and Saltpetro Bill; third reading.
3. St. Philip's School Ground Bill; second reading.
4. Spirits' Duties Protection Bill; second reading.
5. Distillation Bill; second reading.

OTHER BUSINESS—NOTICES OF MOTION.

1. **MR. NICHOLS** to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
2. **MR. NICHOLS** to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.
3. **MR. DONALDSON** 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 shewing, in a tabular form :—
 The gross amount in each year for ten years, from 1838 to 1848, of the General Revenue.
 The gross amount in each year for ten years, from 1838 to 1848, of the Territorial Revenue.
 The gross amount in each year for ten years, from 1838 to 1848, of the actual disbursements out of the General Revenue.
 The gross amount in each year for ten years, from 1838 to 1848, of the actual disbursements out of the Territorial Revenue.
 The gross amount in each year for ten years, from 1838 to 1848, of the balance carried over in each year of the General Revenue.
 The gross amount in each year for ten years, from 1838 to 1848, of the balance carried over in each year of the Territorial Revenue.
 Also, a Return shewing for six years, from 1843 to 1848, both years inclusive—
 The amount voted by the Legislative Council in each year, over and above the amount reserved by the Schedules A, B, and C.
 The amount actually disbursed by virtue of the Appropriation Act in each year, over and above the amount disbursed out of the Schedules A, B, and C.
 The actual balance in each year remaining in the hands of the Colonial Treasurer, shewing what amount of such balance has been voted but not disbursed in each year.

ORDER OF THE DAY :—

1. Law of Evidence Bill; to be further considered in Committee.

FRIDAY, JULY 6.

NOTICES OF MOTION :—

1. **MR. DONALDSON** to move, That this Council having duly considered the subject of the establishment of Steam Communication with the Mother Country, and having reviewed the following facts :—
 That a Committee of this Council reported upon this subject in the Session of 1846, and agreed to a vote of £500 per month for three years, to be paid to the first Company which might establish Steam Communication with Europe by way of Singapore.
 That the Lords of the Treasury, as well as the Lords of the Admiralty, and especially Admiral Beaufort, then Hydrographer to the Admiralty, have recommended the same route, and have arrived at the same conclusions as the Committee of this Council on the mode of carrying out this object.
 That a Committee of this Council again reported on this subject in the Session of 1848, and that Resolutions were unanimously agreed to by this Council at the close of the same Session.
 This Report and these Resolutions being acknowledged by the Right Honorable the Secretary of State for the Colonies, in his Despatch dated 28th December 1848, now before this Council, this Council do now resolve :—
 First—That notwithstanding these several Reports, and the promises held out by the Secretary of State in the said Despatch, this Council does not see any prospect of receiving

ceiving the benefit of Steam Communication with the Mother Country within a reasonable time.

Second—That this Council does express a feeling of deep regret and disappointment that the Colony of New South Wales should have been so long and so unnecessarily deprived of this great benefit.

That an Address be presented to His Excellency the Governor, praying that he will forward a copy of these Resolutions to the Right Honorable the Secretary of State for the Colonies, to be laid before Her Majesty.

2. DR. DICKSON to move, That the Petition presented on the 3rd instant from certain Inhabitants of Geelong praying for an Incorporation of that Town be printed.

ORDERS OF THE DAY :—

1. Melbourne City Bill ; second reading.
2. Merchant Seaman's Bill ; to be considered in Committee.
3. Colonial Agent Bill ; to be further considered in Committee.

TUESDAY, JULY 10.

NOTICE OF MOTION :—

1. MR. MURRAY to move, That the Yass School Lands Bill be now read a first time.

ORDERS OF THE DAY :—

1. Real Property Law Bill ; second reading.
2. Cattle Slaughtering Bill ; to be considered in Committee.
3. Trust Money Bill ; to be considered in Committee.

WEDNESDAY JULY 11.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Publicans' Bill ; second reading.
2. Hawkers' and Pedlers' Bill ; to be further considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY.

1. Fraudulent Debtors Bill ; second reading.

TUESDAY, JULY 17.

ORDER OF THE DAY :—

1. Medical Profession Bill ; second reading.

CHARLES NICHOLSON,

Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 5 JULY, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Parramatta Water :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on the 12th ultimo, on motion of Mr. Oakes.
Ordered to be printed.
2. Postponement :—The Colonial Secretary postponed the motion standing in his name on the Notice Paper of Government Business for to-day, until Wednesday next.
3. Courts of Requests and Petty Sessions Auction Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
4. Borax and Saltpetre Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and *passed*.
The Colonial Secretary then moved, That the following be the title of the Bill, viz :—
“ *An Act to allow the importation of Borax and Saltpetre free of Duty.*”
Question put and passed.
5. Postponement :—The second reading of the St. Philip's School Ground Bill postponed, on motion of the Colonial Secretary, until Wednesday next.
6. Spirits' Duties Protection Bill, on motion of the Colonial Secretary, read a second time ; to be considered in Committee on Wednesday next.
7. Distillation Bill having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and 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.
8. Postponement :—Mr. Cowper, on behalf of Mr. Nichols, postponed the motions standing in the name of Mr. Nichols first and second on the Notice Paper of Other Business for to-day, until Tuesday next.
9. Revenue and Expenditure :—Mr. Donaldson moved, pursuant to amended 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 shewing, in a tabular form :—
The total amount in each year for ten years, from 1838 to 1848, of the General Revenue.
The total amount in each year for ten years, from 1838 to 1848, of the Territorial Revenue.
The total amount in each year for ten years, from 1838 to 1848, of the actual disbursements out of the General Revenue.
The total amount in each year for ten years, from 1838 to 1848, of the actual disbursements out of the Territorial Revenue.
The total amount in each year for ten years, from 1838 to 1848, of the balance carried over in each year of the General Revenue.
The total amount in each year for ten years, from 1838 to 1848, of the balance carried over in each year of the Territorial Revenue.
Also, a Return shewing for five years, from 1843 to 1848,—
The amount voted by the Legislative Council in each year, over and above the amount reserved by the Schedules A, B, and C.
The amount actually disbursed by virtue of the Appropriation Act in each year, over and above the amount disbursed out of the Schedules A, B, and C.
The actual balance in each year remaining in the hands of the Colonial Treasurer, shewing what amount of such balance has been voted but not disbursed in each year.
Question put and passed ; Address to be presented by the Speaker and the Colonial Secretary.
10. Postponement :—On motion of Mr. Cowper, on behalf of Mr. Nichols, the further consideration in Committee of the Law of Evidence Bill postponed, until Tuesday next.
Council adjourned at Six o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

FRIDAY, JULY 6.

NOTICES OF MOTION :—

1. MR. DONALDSON to move, That this Council having duly considered the subject of the establishment of Steam Communication with the Mother Country, and having reviewed the following facts :—
That a Committee of this Council reported upon this subject in the Session of 1846, and agreed to a vote of £500 per month for three years, to be paid to the first Company which might establish Steam Communication with Europe by way of Singapore.
That the Lords of the Treasury, as well as the Lords of the Admiralty, and especially Admiral Beaufort, then Hydrographer to the Admiralty, have recommended the same route, and have arrived at the same conclusions as the Committee of this Council on the mode of carrying out this object.
That a Committee of this Council again reported on this subject in the Session of 1848, and that Resolutions were unanimously agreed to by this Council at the close of the same Session.
This Report and these Resolutions being acknowledged by the Right Honorable the Secretary of State for the Colonies, in his Despatch dated 28th December 1848, now before this Council, this Council do now resolve :—
First—That notwithstanding these several Reports, and the promises hold out by the Secretary of State in the said Despatch, this Council does not see any prospect of receiving the benefit of Steam Communication with the Mother Country within a reasonable time.
Second—That this Council does express a feeling of deep regret and disappointment that the Colony of New South Wales should have been so long and so unnecessarily deprived of this great benefit.
That an Address be presented to His Excellency the Governor, praying that he will forward a copy of these Resolutions to the Right Honorable the Secretary of State for the Colonies, to be laid before Her Majesty.
2. DR. DICKSON to move, That the Petition presented on the 3rd instant from certain Inhabitants of Geelong praying for an Incorporation of that Town be printed.

ORDERS OF THE DAY :—

1. Melbourne City Bill; second reading.
2. Merchant Seamen's Bill; to be considered in Committee.
3. Colonial Agent Bill; to be further considered in Committee.

TUESDAY, JULY 10.

NOTICES OF MOTION :—

1. MR. MURRAY to move, That the Yass School Lands Bill be now read a first time.
2. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
3. MR. NICHOLS to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.

ORDERS OF THE DAY :—

1. Real Property Law Bill; second reading.
2. Cattle Slaughtering Bill; to be considered in Committee.
3. Trust Money Bill; to be considered in Committee.
4. Law of Evidence Bill; to be further considered in Committee.

WEDNESDAY, JULY 11.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. THE COLONIAL SECRETARY to move, That this Council do now resolve itself into a Committee of the whole Council, for the purpose of taking into consideration the Report of the Law Commission presented to the Council by His Excellency the Governor, in His Message of the 14th ultimo, so far as the recommendations contained therein affect New South Wales Proper.

ORDERS OF THE DAY :—

1. Publicans' Bill; second reading.
2. Hawkers' and Pedlars' Bill; to be further considered in Committee.
3. St. Philip's School Ground Bill; second reading.
4. Spirits' Duties Protection Bill; to be considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY.

1. Fraudulent Debtors Bill; second reading.

THURSDAY, JULY 12.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Courts of Requests and Petty Sessions Auction Bill; third reading.
2. Distillation Bill; to be further considered in Committee.

TUESDAY, JULY 17.

ORDER OF THE DAY :—

1. Medical Profession Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 6 JULY, 1849.

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

Steam Communication with England :—Mr. Donaldson moved, pursuant to *amended* notice, That this Council having duly considered the subject of the establishment of Steam Communication with the Mother Country, and having reviewed the following facts :—

That a Committee of this Council reported upon this subject in the Session of 1846, and agreed to a vote of £500 per month for three years, to be paid to the first Company which might establish Steam Communication with Europe by way of Singapore. That the Lords of the Treasury, as well as the Lords of the Admiralty, and especially Admiral Beaufort, then Hydrographer to the Admiralty, have recommended the same route, and have arrived at the same conclusions as the Committee of this Council on the mode of carrying out this object.

That a Committee of this Council again reported on this subject in the Session of 1848, and that Resolutions were unanimously agreed to by this Council at the close of the same Session.

This Report and these Resolutions being acknowledged by the Right Honorable the Secretary of State for the Colonies, in his Despatch dated 28th December 1848, now before this Council, this Council do now resolve :—

First—That notwithstanding these several Reports, and the promises held out by the Secretary of State in the said Despatch, this Council does not see any immediate prospect of receiving the benefit of Steam Communication with the Mother Country.

Second—That this Council does express a feeling of deep regret and disappointment that the Colony of New South Wales should have been so long deprived of this great benefit.

That an Address be presented to His Excellency the Governor, praying that he will forward a copy of these Resolutions to the Right Honorable the Secretary of State for the Colonies, to be laid before Her Majesty.

The Colonial Secretary moved the previous Question.

Debate ensued.

Previous Question put " Shall this Question be now put ? "

Council divided.

Ayes, 10.

Mr. Murray,
Mr. Oakes,
Dr. Dickson,
Mr. Dangar,
Mr. Cooper,
Mr. W. Macarthur,
Mr. J. Macarthur,
Mr. Donaldson,
Mr. Lowe,
Mr. Foster, (Teller.)

Noes, 11.

The Colonial Secretary,
The Colonial Treasurer,
The Attorney General,
Mr. Lamb,
Mr. Macintyre,
Colonel Snodgrass,
Mr. Hamilton,
Mr. Allen,
Mr. Icely,
The Collector of Customs,
Mr. Parker, (Teller.)

2. Motion withdrawn :—Dr. Dickson withdrew the motion standing in his name second on the Notice Paper for to-day.
3. Melbourne City Bill having been read a second time, on motion of Mr. W. Macarthur, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman reported progress and obtained leave to sit again on Tuesday week.
4. Postponements :—
(1.) On motion of Mr. Donaldson, on behalf of Mr. Nichols, the consideration in Committee of the Merchant Seamen's Bill postponed, until Tuesday next.
(2.) On motion of Mr. Oakes, on behalf of Mr. Wentworth, the further consideration in Committee of the Colonial Agent Bill postponed, until Tuesday next.
Council adjourned at Five o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

TUESDAY, JULY 10.

NOTICES OF MOTION :—

1. MR. MURRAY to move, That the Yass School Lands Bill be now read a first time.
2. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with Indictable offences.
3. MR. NICHOLS to move for leave to bring in a Bill to protect Justices of the Peace from vexatious Actions for acts done by them in the execution of their office.
4. MR. FOSTER to move for leave to bring in a Bill to amend an Act to enable certain Public Hospitals to sue and be sued in the name of their Treasurer, and to provide for taking and holding real property belonging to such Hospitals respectively.

ORDERS OF THE DAY :—

1. Real Property Law Bill; second reading.
2. Cattle Slaughtering Bill; to be considered in Committee.
3. Trust Money Bill; to be considered in Committee.
4. Law of Evidence Bill; to be further considered in Committee.
5. Merchant Seamen's Bill; to be considered in Committee.
6. Colonial Agent Bill; to be further considered in Committee.

WEDNESDAY, JULY 11.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. THE COLONIAL SECRETARY to move, That this Council do now resolve itself into a Committee of the whole Council, for the purpose of taking into consideration the Report of the Law Commission presented to the Council by His Excellency the Governor, in His Message of the 14th ultimo, so far as the recommendations contained therein affect New South Wales Proper.

ORDERS OF THE DAY :—

1. Publicans' Bill; second reading.
2. Hawkers' and Pedlers' Bill; to be further considered in Committee.
3. St. Philip's School Ground Bill; second reading.
4. Spirits' Duties Protection Bill; to be considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY.

1. Fraudulent Debtors Bill; second reading.

THURSDAY, JULY 12.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Courts of Requests and Petty Sessions Auction Bill; third reading.
2. Distillation Bill; to be further considered in Committee.

TUESDAY, JULY 17.

NOTICE OF MOTION :—

1. MR. OAKES to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Estimates for the year 1850, a sum not exceeding £1,000, to be applied towards commencing the works required for supplying pure water to the Inhabitants of the Town and District of Parramatta.

ORDERS OF THE DAY :—

1. Medical Profession Bill; second reading.
2. Melbourne City Bill; to be further considered in Committee.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 10 JULY, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Mr. Deas Thomson's Marriage Settlement :—Mr. Darvall presented a Petition from George Kenyon Holden and William Macpherson, praying leave to bring in a Bill for defining their powers as Trustees for the time being of the Settlement made on the marriage of the Honorable Edward Deas Thomson, Esquire, with Anne Maria his wife. Petition received.
Mr. Darvall then produced the *Government Gazette* of the 5th, 12th, 22nd, and 26th June respectively, containing notice of the intencion to apply for such Bill.
In answer to a Question of Order, the Speaker ruled that, as the time by the practice of Parliament limited for the reception of Petitions for Private Bills had elapsed, the suspension of the Standing Orders relating to Private Bills is now a necessary preliminary to a motion for leave to introduce a Private Bill.
2. Cattle Slaughtering Bill :—Mr. Lowe presented a Petition from certain Carcass Butchers of Sydney, praying that the Fee proposed by this Bill to be paid to the Inspector be reduced from three-pence to one penny halfpenny for each and every head or skin of slaughtered cattle inspected by him.
Petition received.
3. John Morris :—Mr. Wentworth presented a Petition from John Morris, Contractor for the erection of the Light House on Gabo Island, near Cape Howe, praying the appointment of a Select Committee of Inquiry into the terms of his contract and the nature of his work.
Petition received.
4. Yass School Lands Bill, on motion of Mr. Murray, pursuant to notice, read a first time.
5. Motions withdrawn :—Mr. Nichols withdrew the motions standing in his name second and third on the Notice Paper for to-day.
6. Public Hospitals :—Mr. Foster moved, pursuant to notice, That he have leave to bring in a Bill to amend an Act to enable certain Public Hospitals to sue and be sued in the name of their Treasurer, and to provide for taking and holding real property belonging to such Hospitals respectively.
Debate ensued (on the point of order whether the proposed Bill be not in the nature of a Private Bill.)
Motion by leave withdrawn.
7. Real Property Law Bill :—Mr. Lowe moved, That this "Bill" be now read a second time.
Debate ensued.
Mr. Wentworth moved, as an amendment, That all the words following the word "Bill" be omitted with a view to the insertion in their place of the words "be referred to the consideration of a Select Committee, to consist of Mr. Lowe, the Attorney General, " Mr. Darvall, Mr. Wentworth, Mr. Hamilton, and Mr. Nichols."
Debate continued.
Question put, That the words proposed to be omitted stand part of the Question.
Council divided.

Ayes 7.

Mr. Donaldson,
The Collector of Customs,
The Auditor General,
Mr. Cooper,
Mr. Lowe,
Dr. Dickson,
Mr. Cowper, (Teller.)

Noes 16.

Mr. Darvall,
Mr. Macintyre,
Mr. Oakes,
Colonel Snodgrass,
The Colonial Secretary,
Mr. Hamilton,
Mr. Parker,
Mr. Foster,
The Colonial Treasurer,
Mr. Wentworth,
Mr. Dangar,
Mr. J. Macarthur,
Mr. W. Macarthur,
Mr. Berry,
The Attorney General,
Mr. Nichols, (Teller.)

Question

Question stated " That this ' Bill ' be referred to the consideration of a Select Committee, to consist of Mr. Lowe, the Attorney General, Mr. Darvall, Mr. Wentworth, Mr. Hamilton, and Mr. Nichols."

Mr. Nichols moved as an amendment, That all the words following the word ' Bill ' be omitted with a view to the insertion in their place of the words "be read a second time this day six months."

Debate ensued.

Amendment by leave withdrawn.

Question—That this Bill be referred to the consideration of a Select Committee, to consist of Mr. Lowe, the Attorney General, Mr. Darvall, Mr. Wentworth, Mr. Hamilton, and Mr. Nichols—put and passed.

8. Cattle Slaughtering Bill :—On motion of Mr. Dangar, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for consideration of this Bill.
The Speaker having resumed the Chair,—
9. Postponement :—The consideration in Committee of the Trust Money Bill postponed, on motion of Mr. Darvall, until Friday next.
10. Law of Evidence Bill :—On motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Friday next.
11. Postponements :—
 - (1.) The consideration in Committee of the Merchant Seamen's Bill postponed, on motion of Mr. Nichols, until Friday next.
 - (2) The further consideration in Committee of the Colonial Agent Bill postponed, on motion of Mr. Wentworth, until Friday next.
 Council adjourned at a quarter after Seven o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

WEDNESDAY, JULY 11.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. THE COLONIAL SECRETARY to move, That this Council do now resolve itself into a Committee of the whole Council, for the purpose of taking into consideration the Report of the Law Commission presented to the Council by His Excellency the Governor, in His Message of the 14th ultimo, so far as the recommendations contained therein affect New South Wales Proper.

ORDERS OF THE DAY :—

1. Publicans' Bill; second reading.
2. Hawkers' and Pedlers' Bill; to be further considered in Committee.
3. St. Philip's School Ground Bill; second reading.
4. Spirits' Duties Protection Bill; to be considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY.

1. Fraudulent Debtors Bill; second reading.

THURSDAY, JULY 12.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Courts of Requests and Petty Sessions Auction Bill; third reading.
2. Distillation Bill; to be further considered in Committee.

FRIDAY, JULY 13.

NOTICE OF MOTION :—

1. MR. HAMILTON to move, That the Yass School Lands Bill be referred to the consideration of a Select Committee, to consist of Mr. Cowper, The Auditor General, Mr. Murray, Mr. Hamilton, and the Attorney General.

ORDERS OF THE DAY :—

1. Trust Money Bill; to be considered in Committee.
2. Law of Evidence Bill; to be further considered in Committee.
3. Merchant Seamen's Bill; to be considered in Committee.
4. Colonial Agent Bill; to be further considered in Committee.

TUESDAY,

TUESDAY, JULY 17.

NOTICES OF MOTION :—

1. MR. OAKES to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Estimates for the year 1850, a sum not exceeding £1,000, to be applied towards commencing the works required for supplying pure water to the Inhabitants of the Town and District of Parramatta.
2. MR. DARVALL to move, That the Standing Orders relating to Private Bills be suspended, in order to his moving for leave to bring in a Bill to define the powers of the Trustees for the time being of the Marriage Settlement of Mr. Deas Thomson.
3. MR. DARVALL to move for leave to bring in a Bill to define the powers of the Trustees for the time being of the Marriage Settlement of Mr. Deas Thomson.
4. MR. DARVALL to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Supplementary Estimate for 1849 a sufficient sum to erect, in St. James' Church, a Tablet to the memory of the late Mr. Assistant Surveyor E. B. Kennedy, expressive of the esteem in which that gentleman was held by the inhabitants of New South Wales, and of their regret for his untimely loss.

ORDERS OF THE DAY :—

1. Medical Profession Bill; second reading.
2. Melbourne City Bill; to be further considered in Committee.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 11 JULY, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Member sworn :—The Speaker having reported that he had received a Writ returning Mr. James Martin Member for the Electoral District of Cook and Westmoreland, administered the Oath to Mr. Martin.
2. Sydney Railway Bill :—Mr. Lamb, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before the Select Committee to whose consideration this Bill was referred on the 5th ultimo.
Ordered to be printed.
3. Qualification of Member :—James Martin, Esquire, handed to the Clerk at the Table the following Declaration of his Qualification, and took his Seat as Member for the Electoral District of Cook and Westmoreland :—

“ I James Martin (protesting against the necessity for now making this Declaration,) do declare and testify That I am duly seised at Law or in Equity of an Estate of freehold for my own use and benefit in lands or tenements in the Colony of New South Wales of the yearly value of one hundred pounds sterling money above all charges and incumbrances affecting the same that is to say a piece of land with the capital messuage dwelling-house or inn standing and being thereon known as the sign of the Woolloomooloo Inn situate at the corner of William-street and Brongham-street in the City of Sydney in the County of Cumberland in the said Colony and now in the occupation of William Baker as my tenant of which I am seised in fee simple 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.”

JAMES MARTIN.

4. Report from Law Commission :—The Colonial Secretary moved, pursuant to notice, That this Council do “now” resolve itself into a Committee of the whole Council, for the purpose of taking into consideration the Report of the Law Commission presented to the Council by His Excellency the Governor, in His Message of the 14th ultimo, so far as the recommendations contained therein affect New South Wales Proper.
Debate ensued.
Mr. Foster moved, as an amendment, That the word “now” be omitted with a view to the insertion in its place of the words “this day month.”
Debate continued.
Question,—That the word proposed to be omitted stand part of the question,—put and passed.
Original question put, That this Council do now resolve itself into a Committee of the whole Council, for the purpose of taking into consideration the Report of the Law Commission presented to the Council by His Excellency the Governor, in his Message of the 14th ultimo, so far as the recommendations contained therein affect New South Wales Proper.
Council divided.

Ayes, 7.

The Colonial Secretary,
The Colonial Treasurer,
The Attorney General,
The Major General Commanding,
The Collector of Customs,
Mr. Icely,
Mr. Parker, (Teller.)

Noes, 19.

Mr. Cooper,
Mr. Fitzgerald,
Mr. Macintyre,
Mr. Dangar,
Mr. Allen,
Mr. Foster,
Mr. W. Macarthur,
Mr. Berry,
Mr. Oakes,
Mr. Lowe,
Mr. Lamb,
Mr. Cowper,
Dr. Dickson,
Mr. Hamilton,
Mr. J. Macarthur,
Mr. Donaldson,
Mr. Wentworth,
Mr. Martin,
Mr. Nichols, (Teller.)

5. Postponements :—
 (1.) The second reading of the Publicans' Bill postponed, on motion of the Attorney General, until to-morrow.
 (2.) The further consideration in Committee of the Hawkers' and Pedlers' Bill postponed, on motion of the Attorney General, until this day week.
6. St. Philips' School Ground Bill having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and 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.
7. Postponements :—
 (1.) The consideration in Committee of the Spirits' Duties Protection Bill postponed, on motion of the Colonial Secretary, until to-morrow.
 (2.) The second reading of the Fraudulent Debtors' Bill postponed, on motion of Mr. Fitzgerald, until Friday next.
 Council adjourned at a quarter after Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

THURSDAY, JULY 12.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Courts of Requests and Petty Sessions Auction Bill; third reading.
2. Distillation Bill; to be further considered in Committee.
3. Publicans' Bill; second reading.
4. Spirits' Duties Protection Bill; to be considered in Committee.

FRIDAY, JULY 13.

NOTICES OF MOTION :—

1. MR. HAMILTON to move, That the Yass School Lands Bill be referred to the consideration of a Select Committee, to consist of Mr. Cowper, The Auditor General, Mr. Murray, Mr. Hamilton, and the Attorney General.
2. Mr. Wentworth to move, That a Select Committee be appointed to enquire into the allegations contained in the Petition of John Morris, and the expenses attending the erection of the several Light Houses in Bass's Straits; and that the Members of such Committee be, The Attorney General, Mr. Darvall, The Auditor General, Mr. Lamb, Mr. Cowper, and Mr. Donaldson.

ORDERS OF THE DAY :—

1. Trust Money Bill; to be considered in Committee.
2. Law of Evidence Bill; to be further considered in Committee.
3. Merchant Seamen's Bill; to be considered in Committee.
4. Colonial Agent Bill; to be further considered in Committee.
5. Fraudulent Debtors Bill; second reading.

TUESDAY, JULY 17.

NOTICES OF MOTION :—

1. MR. OAKES to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Estimates for the year 1850, a sum not exceeding £1,000, to be applied towards commencing the works required for supplying pure water to the Inhabitants of the Town and District of Parramatta.
2. MR. DARVALL to move, That the Standing Orders relating to Private Bills be suspended, in order to his moving for leave to bring in a Bill to define the powers of the Trustees for the time being of the Marriage Settlement of Mr. Deas Thomson.
3. MR. DARVALL to move for leave to bring in a Bill to define the powers of the Trustees for the time being of the Marriage Settlement of Mr. Deas Thomson.
4. MR. DARVALL to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Supplementary Estimate for 1849 a sufficient sum to erect, in St. James' Church, a Tablet to the memory of the late Mr. Assistant Surveyor E. B. Kennedy, expressive of the esteem in which that gentleman was held by the inhabitants of New South Wales, and of their regret for his untimely loss.
5. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.
6. MR. MARTIN to move, That an Address be presented to His Excellency the Governor, requesting him to cause to be laid upon the Table of this House a Return showing the Christian and Surnames of all persons now confined in the Lunatic Asylum at Tarban Creek, the date of their admission there, and by whose order and under what circumstances they were so admitted. Also a Return shewing the Christian and Surnames of all persons who died in or have been discharged from the said Asylum since the 1st of January 1844, and by whose order and under what circumstances they were confined there.

ORDERS OF THE DAY :—

1. Medical Profession Bill; second reading.
2. Melbourne City Bill; to be further considered in Committee.

WEDNESDAY, JULY 18.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :

1. Hawkers' and Pedlers' Bill; to be further considered in Committee.
2. St. Philip's School Ground Bill; to be further considered in Committee.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 12 JULY, 1849.

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.) City Magistrates' Bill.
 - (2.) Works of Art Bill.
 - (3.) Lunatics' Bill.
 - (4.) Gunpowder Bill.
 - (5.) Coach Drivers' Punishment Bill.
 - (6.) False Declarations Bill.
2. Railways:—The following Message from His Excellency the Governor received and read:—

HIS A. FITZ ROY,
Governor.

Message No. 34.

The Governor places before the Legislative Council the copy of a Despatch which he received yesterday from Her Majesty's Secretary of State for the Colonies in reply to a Despatch in which His Excellency transmitted the Address of the Council adopted on the 15th June 1848 and the Report of the Select Committee appointed during the last Session to take into consideration the practicability and expediency of introducing Railways into this Colony.
Government House, Sydney,
12th July, 1849.

Ordered to be printed, together with the accompanying Despatch, and taken into consideration on Wednesday next.
3. Hunter River Vineyard Association:—Mr. Donaldson presented a Petition from Henry Carmichael, M. A., Chairman of the Committee of the Hunter River Vineyard Association, against the passing of any Law which would prevent the Wine Growers of the Colony from disposing *ad libitum* on their Estates of the produce of their Vineyards.
Petition received.
4. Campbell Town Police:—Mr. Cowpor presented a Petition from certain Inhabitants of the Police District of Campbell Town and Appin, praying that no reduction may be made in the Police Establishments of Campbell Town and Appin.
Petition received.
5. Courts of Requests and Petty Sessions Auction Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and *passed*.
The Colonial Secretary then moved, that the following be the title of the Bill, viz.:—
“An Act to enable Bailiffs of the Courts of Requests and of Petty Sessions respectively, to sell by Auction without a License.”
Question put and passed.
6. Postponement:—The further consideration in Committee of the Distillation Bill postponed, on motion of the Colonial Secretary, until Wednesday next.
7. Publicans' Bill:—The Attorney General moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed; Bill read a second time,—
Whereupon, on motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
8. Postponement:—The consideration in Committee of the Spirits' Duties Protection Bill postponed, on motion of the Colonial Secretary, until Wednesday next.
Council adjourned at a quarter after Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

FRIDAY, JULY 13.

NOTICES OF MOTION :—

1. MR. HAMILTON to move, That the Yass School Lands Bill be referred to the consideration of a Select Committee, to consist of Mr. Cowper, The Auditor General, Mr. Murray, Mr. Hamilton, and the Attorney General.
2. Mr. Wentworth to move, That a Select Committee be appointed to enquire into the allegations contained in the Petition of John Morris, and the expenses attending the erection of the several Light Houses in Bass's Straits; and that the Members of such Committee be, The Attorney General, Mr. Darvall, The Auditor General, Mr. Lamb, Mr. Cowper, and Mr. Donaldson.
3. MR. MACINTYRE to move, That an Address be presented to His Excellency the Governor, praying that he may be pleased to cause to be laid on the Table of this House, a Return of the amount, if any, of the Public Money that has been expended for the benefit of Parramatta.

ORDERS OF THE DAY :—

1. Trust Money Bill; to be considered in Committee.
 2. Law of Evidence Bill; to be further considered in Committee.
 3. Merchant Seamen's Bill; to be considered in Committee.
 4. Colonial Agent Bill; to be further considered in Committee.
 5. Fraudulent Debtors Bill; second reading.
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TUESDAY, JULY 17.

NOTICES OF MOTION :—

1. MR. OAKES to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Estimates for the year 1850, a sum not exceeding £1,000, to be applied towards commencing the works required for supplying pure water to the Inhabitants of the Town and District of Parramatta.
2. MR. DARVALL to move, That the Standing Orders relating to Private Bills be suspended, in order to his moving for leave to bring in a Bill to define the powers of the Trustees for the time being of the Marriage Settlement of Mr. Deas Thomson.
3. MR. DARVALL to move for leave to bring in a Bill to define the powers of the Trustees for the time being of the Marriage Settlement of Mr. Deas Thomson.
4. MR. DARVALL to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Supplementary Estimate for 1849 a sufficient sum to erect, in St. James' Church, a Tablet to the memory of the late Mr. Assistant Surveyor E. B. Kennedy, expressive of the esteem in which that gentleman was held by the inhabitants of New South Wales, and of their regret for his untimely loss.
5. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.
6. MR. MARTIN to move, That an Address be presented to His Excellency the Governor, requesting him to cause to be laid upon the Table of this House a Return shewing the Christian and Surnames of all persons now confined in the Lunatic Asylum at Tarban Creek, the date of their admission there, and by whose order and under what circumstances they were so admitted. Also a Return shewing the Christian and Surnames of all persons who died in or have been discharged from the said Asylum since the 1st of January 1844, and by whose order and under what circumstances they were confined there.

ORDERS OF THE DAY :—

1. Medical Profession Bill; second reading.
 2. Melbourne City Bill; to be further considered in Committee.
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WEDNESDAY, JULY 18.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :

1. Hawkers' and Pedlers' Bill; to be further considered in Committee.
2. St. Philip's School Ground Bill; to be further considered in Committee.
3. Consideration of Governor's Message, No. 34, with Despatch on Railways.
4. Distillation Bill; to be further considered in Committee.
5. Publicans' Bill; to be further considered in Committee.
6. Spirits' Duties Protection Bill; to be considered in Committee.

CHARLES NICHOLSON,

Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 13 JULY, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Yass School Lands Bill:—Mr. Hamilton moved, pursuant to notice, That the Yass School Lands Bill be referred to the consideration of a Select Committee, to consist of Mr. Cowper, The Auditor General, Mr. Murray, Mr. Hamilton, and the Attorney General.
Question put and passed.
2. Light Houses, Bass's Straits:—Mr. Wentworth moved, pursuant to notice, That a Select Committee be appointed to enquire into the allegations contained in the Petition of John Morris, and the expenses attending the erection of the several Light Houses in Bass's Straits; and that the Members of such Committee be, The Attorney General, Mr. Darvall, The Auditor General, Mr. Lamb, Mr. Cowper, and Mr. Donaldson.
Debate ensued.
Mr. Lowe moved as an amendment, on behalf of Mr. Darvall, that the name of Mr. Darvall be struck from the proposed Committee, and that of Mr. Cooper inserted in its place.
Question,—That the words, " Mr. Darvall," proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words, " Mr. Cooper," proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question,—That a Select Committee be appointed to enquire into the allegations contained in the Petition of John Morris, and the expenses attending the erection of the several Light Houses in the Bass's Straits; and that the Members of such Committee be, The Attorney General, Mr. Cooper, The Auditor General, Mr. Lamb, Mr. Cowper, and Mr. Donaldson,—put and passed.
3. Parramatta:—Mr. Macintyre moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he may be pleased to cause to be laid on the Table of this House, a Return of the amount, if any, of the Public Money that has been expended for the benefit of Parramatta.
Debate ensued.
Question put and negatived.
4. Postponement:—On motion of Mr. Parker, on behalf of Mr. Darvall, the consideration in Committee, of the Trust Money Bill postponed, until Tuesday next.
5. Law of Evidence Bill:—On motion of Mr. Nichols, the Speaker left the Chair, and 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,
Mr. Nichols moved, " That " the Report from the Committee be now adopted.
Whereupon Mr. Martin moved, as an amendment, That all the words following the word " That " be omitted with a view to the insertion in their place of the words " the Bill be recommitted."
Debate ensued (on the point of Order whether consistently with the practice of Parliament a Bill can be recommitted on the day it is reported.)
Amendment by leave withdrawn.
Original Question by leave withdrawn.
Mr. Nichols then moved, That the adoption of the Report from the Committee be an Order of the Day for Friday next.
Question put and passed.
6. Merchant Seamen's Bill:—Mr. Nichols moved, That the consideration of this Bill in Committee be postponed, until Friday next.
Debate ensued.
Motion by leave withdrawn.
Mr. Nichols then moved, " That " the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for consideration of this Bill.
Whereupon Mr. Donaldson moved, as an amendment, That all the words following the word " That " be omitted with a view to the insertion in their place of the words " this Bill be committed this day week."
Debate ensued.
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.

Question

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

Question,—That this Bill be committed this day-week,—put and passed.

7. Disputed Election :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table, under the 47th section of the Act of Council, 6 Victoria No. 16, the copy of a Petition from Alick Osborne against the return of the Sitting Member for the Electoral District of St. Vincent and Auckland.
8. Howe's Bridge, Windsor :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject adopted on motion of Mr. Bowman, on the 27th ultimo.
Ordered to be printed.
9. Colonial Agent Bill :—On motion of Mr. Wentworth the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.
The Chairman having reported the Bill with an amendment,—
Mr. Wentworth moved, That the adoption of the Report from the Committee be an Order of the Day for Friday next.
Question put and passed.
10. Postponement :—On motion of Mr. Nichols, on behalf of Mr. Fitzgerald, the second reading of the Fraudulent Debtors' Bill postponed, until Tuesday next.
Council adjourned at Six o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

TUESDAY, JULY 17.

NOTICES OF MOTION :—

1. MR. OAKES to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Estimates for the year 1850, a sum not exceeding £1,000, to be applied towards commencing the works required for supplying pure water to the Inhabitants of the Town and District of Parramatta.
2. MR. DARVALL to move, That the Standing Orders relating to Private Bills be suspended, in order to his moving for leave to bring in a Bill to define the powers of the Trustees for the time being of the Marriage Settlement of Mr. Deas Thomson.
3. MR. DARVALL to move for leave to bring in a Bill to define the powers of the Trustees for the time being of the Marriage Settlement of Mr. Deas Thomson.
4. MR. DARVALL to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Supplementary Estimate for 1849 a sufficient sum to erect, in St. James' Church, a Tablet to the memory of the late Mr. Assistant Surveyor E. B. Kennedy, expressive of the esteem in which that gentleman was held by the inhabitants of New South Wales, and of their regret for his untimely loss.
5. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.
6. MR. MARTIN to move, That an Address be presented to His Excellency the Governor, requesting him to cause to be laid upon the Table of this House a Return shewing the Christian and Surnames of all persons now confined in the Lunatic Asylum at Tarban Creek, the date of their admission there, and by whose order and under what circumstances they were so admitted. Also a Return shewing the Christian and Surnames of all persons who died in or have been discharged from the said Asylum since the 1st of January 1844, and by whose order and under what circumstances they were confined there.
7. MR. LOWE to move, That Earl Grey's Despatch on the subject of Quit Rents be referred to the Land Committee.
8. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor, praying that His Excellency may be pleased to cause to be laid upon the Table of this House, copies of all correspondence and documents relating to the Erection of Light Houses in Bass's Straits.
9. MR. HAMILTON 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 :—
(1.) A Return of the quantities and different descriptions of goods merchandise and produce, as well as their official value, imported into and exported from the Port of Newcastle; and of all articles received from and sent to that Port coastwise for each of the three years commencing 1st January 1846.
(2.) A Return shewing the number and tonnage of all ships and vessels entered inwards and outwards at the Port of Newcastle during the same period.
10. MR. FOSTER to move for leave to bring in a Bill to amend an Act to enable certain Public Hospitals to sue and be sued in the name of their Treasurer, and to provide for the taking and holding real property belonging to such Hospitals.

ORDERS OF THE DAY :—

1. Medical Profession Bill; second reading.
2. Melbourne City Bill; to be further considered in Committee.
3. Trust Money Bill; to be considered in Committee.
4. Fraudulent Debtors Bill; second reading.

WEDNESDAY,

WEDNESDAY, JULY 18.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. THE COLONIAL SECRETARY to move, That the Select Committee on the Sydney Railway Bill be re-appointed with a view to refer for their consideration and report the Despatch from the Right Honorable Earl Grey, dated the 8th February 1849, respecting the introduction of Railways into this Colony which accompanied the Message from His Excellency the Governor, No. 34, received by this Council on the 12th instant.

ORDERS OF THE DAY:—

1. Hawkers' and Pedlers' Bill; to be further considered in Committee.
2. St. Philip's School Ground Bill; to be further considered in Committee.
3. Consideration of Governor's Message, No. 34, with Despatch on Railways.
4. Distillation Bill; to be further considered in Committee.
5. Publicans' Bill; to be further considered in Committee.
6. Spirits' Duties Protection Bill; to be considered in Committee.

FRIDAY, JULY 20.

NOTICES OF MOTION:—

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he may be pleased to cause to be laid upon the Table of this House, a Return of the number of Inquests held by the Coroners in the various Districts for which such officers are now appointed in this Colony, and the results of such Inquests, together with the amount of charges for each Inquest, distinguishing the fees charged for *post mortem* examinations from those awarded as payment to medical witnesses for their attendance only, and the amounts charged by the respective Coroners for fees and mileage due to themselves.
2. MR. NICHOLS to move for leave to bring in a Bill to abolish Deodands.
3. DR. DICESON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more "Circuit Districts" within the limits of the District of Port Phillip, and fixing the time for holding "Circuit Courts" therein at the towns of Geelong and Portland respectively.

ORDERS OF THE DAY:—

1. Law of Evidence Bill Reported; adoption of the Report.
2. Merchant Seamen's Bill; to be considered in Committee.
3. Colonial Agent Bill Reported; adoption of the Report.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

TUESDAY, 17 JULY, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Finance 1849-50:—The Financial Message of His Excellency the Governor, (No. 35, of 17th July, 1849,) for the year 1849-50, received and read.
Ordered to be printed, together with the accompanying Estimates of the Ways and Means and probable Expenditure of the Colonial Government of New South Wales for the year 1850, and Supplementary Estimate for the year 1849, and taken into consideration to-morrow week.
2. Postponement:—Mr. Oakes postponed the Motion standing in his name first on the Notice Paper for to-day, until Friday next.
3. Medical Profession Bill:—The Attorney General presented a Petition from certain Chymists and Druggists carrying on business in Sydney and its vicinity, praying the Council to refer the Medical Profession Bill to a Select Committee, with an instruction to such Committee to take evidences as to the form and application thereof, so far as Petitioners are concerned.
Petition received.
4. Assessment on Stock:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Hamilton on the 29th ultimo.
Ordered to be printed.
5. Report from Director of Botanic Gardens, Sydney:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Report for the past year from the Director of the Botanic Gardens, Sydney.
Ordered to be printed.
6. Leave of absence granted to Mr. Suttor for fourteen days, on motion of Mr. Cowper.
7. Suspension of Standing Orders:—Mr. Darvall moved, pursuant to notice, That the Standing Orders relating to Private Bills be suspended, in order to his moving for leave to bring in a Bill to define the powers of the Trustees for the time being of the Marriage Settlement of Mr. Deas Thomson.
Question put and passed.
8. Mr. Deas Thomson's Marriage Settlement Bill:—Mr. Darvall moved, pursuant to notice, That he have leave to bring in a Bill to define the powers of the Trustees for the time being of the Marriage Settlement of Mr. Deas Thomson.
Question put and passed.
9. The late Mr. Assistant Surveyor Kennedy:—Mr. Darvall moved, pursuant to amended notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Supplementary Estimate for 1849 a sufficient sum to erect, in St. James' Church, a Tablet to the memory of the late Mr. Assistant Surveyor E. B. Kennedy, expressive of the high opinion entertained by the Inhabitants of New South Wales of the value of his Public Services.
Debate ensued.
Question put.
Council divided.

Ayes, 21.

Mr. Martin,
Mr. W. Macarthur,
Mr. Donaldson,
Mr. J. Macarthur,
The Attorney General,
Mr. Cooper,
Mr. Parker,
Mr. Berry,
The Collector of Customs,
Mr. Icely,
Mr. Bowman,
Mr. Wentworth,
Mr. Lamb,
Mr. Allen,
The Colonial Secretary,
Mr. Darvall,
Mr. Foster,
Mr. Dangar,
Mr. Fitzgerald,
Mr. Oakes,
The Colonial Treasurer, (Teller.)

Noes, 4.

Mr. Lowe,
Mr. Macintyre,
Mr. Hamilton,
Mr. Cowper, (Teller.)

Address to be presented by the Speaker and the Colonial Secretary.

10. Postponements :—
 (1.) Mr. Cowper postponed the motion standing in his name fifth on the Notice Paper for to-day, until this day week.
 (2.) Mr. Martin postponed the motion standing in his name sixth on the Notice Paper for to-day, until Friday next.
11. Lunatic Asylum, Tarban Creek:—The Colonial Secretary laid upon the Table the Report for the past year from the Medical Officer in charge of the Lunatic Asylum at Tarban Creek, together with several Statistical Tables connected therewith.
12. Quit Rents:—Mr. Lowe moved, pursuant to notice, That Earl Grey's Despatch on the subject of Quit Rents be referred to the Land Committee.
 Question put and passed.
13. Light Houses, Bass's Straits:—Mr. Wentworth moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency may be pleased to cause to be laid upon the Table of this House, copies of all correspondence and documents relating to the Erection of Light Houses in Bass's Straits.
 Question put and passed; Address to be presented by the Speaker.
14. Port of Newcastle:—Mr. Hamilton 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 :—
 (1.) A Return of the quantities and different descriptions of goods merchandise and produce, as well as their official value, imported into and exported from the Port of Newcastle; and of all articles received from and sent to that Port coastwise for each of the three years commencing 1st January 1846.
 (2.) A Return shewing the number and tonnage of all ships and vessels entered inwards and outwards at the Port of Newcastle during the same period.
 Question put and passed; Address to be presented by the Speaker.
15. Public Hospitals Bill:—Mr. Foster moved, pursuant to notice, That he have leave to bring in a Bill to amend an Act to enable certain Public Hospitals to sue and be sued in the name of their Treasurer, and to provide for the taking and holding real property belonging to such Hospitals.
 Question put and passed: Ordered that the Bill be prepared and brought in by the Mover and Seconder.
16. Postponement :—On motion of Mr. Wentworth, on behalf of Dr. Dickson, the second reading of the Medical Profession Bill postponed, until this day week.
17. Melbourne City Bill :—On motion of Mr. William Macarthur, the Speaker left the Chair, and 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, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Friday next.
18. Trust Money Bill:—On motion of Mr. Darvall, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
 The Chairman reported progress, and obtained leave to sit again on Friday next.
19. Fraudulent Debtor's Bill :—Mr. Fitzgerald moved, That this Bill be now read a second time.
 Debate ensued.
 Question put and passed; Bill read a second time,—
 Whereupon, on motion of Mr. Fitzgerald, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
 The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Friday next.
 Council adjourned at half-past Six o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

WEDNESDAY, JULY 18.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. THE COLONIAL SECRETARY to move, That the Select Committee on the Sydney Railway Bill be re-appointed with a view to refer for their consideration and report the Despatch from the Right Honorable Earl Grey, dated the 8th February 1849, respecting the introduction of Railways into this Colony which accompanied the Message from His Excellency the Governor, No. 34, received by this Council on the 12th instant.

ORDERS OF THE DAY :—

1. Hawkers' and Pedlers' Bill; to be further considered in Committee.
2. St. Philip's School Ground Bill; to be further considered in Committee.
3. Consideration of Governor's Message, No. 34, with Despatch on Railways.
4. Distillation Bill; to be further considered in Committee.
5. Publicans' Bill; to be further considered in Committee.
6. Spirits' Duties Protection Bill; to be considered in Committee.

FRIDAY

FRIDAY, JULY 20.

NOTICES OF MOTION :—

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he may be pleased to cause to be laid upon the Table of this House, a Return of the number of Inquests held by the Coroners in the various Districts for which such officers are now appointed in this Colony, and the results of such Inquests, together with the amount of charges for each Inquest, distinguishing the fees charged for *post mortem* examinations from those awarded as payment to medical witnesses for their attendance only, and the amounts charged by the respective Coroners for fees and mileage due to themselves.
2. MR. NICHOLS to move for leave to bring in a Bill to abolish Deodands.
3. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more "Circuit Districts" within the limits of the District of Port Phillip, and fixing the time for holding "Circuit Courts" therein at the towns of Geelong and Portland respectively.
4. MR. OAKES to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Estimates for the year 1850, a sum not exceeding £1,000, to be applied towards commencing the works required for supplying pure water to the Inhabitants of the Town and District of Parramatta.
5. MR. DARVALL to move, That Mr. Deas Thomson's Marriage Settlement Bill be now read a first time.
6. MR. DARVALL to move, That Mr. Deas Thomson's Marriage Settlement Bill be referred for the consideration and report of a Select Committee to consist of the Attorney General, Mr. W. Macarthur, Mr. Foster, and Mr. Cowper.
7. MR. MARTIN to move, That an Address be presented to His Excellency the Governor, requesting him to cause to be laid upon the Table of this House a Return shewing the Christian and Surnames of all persons now confined in the Lunatic Asylum at Tarban Creek, the date of their admission there, and by whose order and under what circumstances they were so admitted. Also a Return shewing the Christian and Surnames of all persons who died in or have been discharged from the said Asylum since the 1st of January 1844, and by whose order and under what circumstances they were confined there.

ORDERS OF THE DAY :—

1. Law of Evidence Bill Reported; adoption of the Report.
2. Merchant Seamen's Bill; to be considered in Committee.
3. Colonial Agent Bill Reported; adoption of the Report.
4. Melbourne City Bill; third reading
5. Trust Money Bill; to be further considered in Committee.
6. Fraudulent Debtors Bill; third reading.

TUESDAY, JULY 24.

NOTICE OF MOTION :—

1. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.

ORDER OF THE DAY :—

1. Medical Profession Bill; second reading.

WEDNESDAY, JULY 25.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Consideration of Governor's Financial Message, No. 35, with the Estimates of Ways and Means and of Expenditure for 1849-50.

CHARLES NICHOLSON,
Speaker.

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VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 18 JULY, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Publicans' Bill:—Mr. Lowe presented a Petition from the Chairman and General Committee of the Friendly Society of Licensed Victuallers of New South Wales, praying the modification of some and the omission of others of the provisions of this Bill.
Petition received.
2. Publicans' Bill:—Mr. Oakes presented a Petition from certain Licensed Victuallers of the Town and District of Parramatta, praying the reconsideration of the third clause of this Bill which empowers wine growers to sell wine or beer to their servants in part payment of wages.
Petition received.
3. Wine Growers, Hunter River:—The Colonial Secretary presented a Petition from the Wine Growers of the Hunter, and others interested in the cultivation of the Vine, praying permission to sell the Brandy they are licensed to distil from the produce of their Vineyards.
Petition received.
4. Parramatta Water:—Mr. Oakes presented a Petition from certain inhabitants of the Town of Parramatta, praying a supply of pure Water adequate to the wants of the Town.
Petition received.
5. Railways:—The Colonial Secretary moved, pursuant to notice, That the Select Committee on the Sydney Railway Bill be re-appointed with a view to refer for their consideration and report the Despatch from the Right Honorable Earl Grey, dated the 8th February 1849, respecting the introduction of Railways into this Colony which accompanied the Message from His Excellency the Governor, No. 34, received by this Council on the 12th instant.
Question put and passed.
6. Postponements:—
 - (1.) On motion of the Colonial Secretary, the further consideration in Committee of the Hawkers and Pedlers' Bill postponed, until this day week.
 - (2.) On motion of the Colonial Secretary, the further consideration in Committee of the St. Philip's School Ground Bill postponed, until to-morrow.
7. Railways:—The Governor's Message, No. 34, received on the 12th instant, having been read, the Despatch from the Right Honorable Earl Grey, dated the 8th February 1849, which accompanied the Message, referred, on motion of the Colonial Secretary, to the Select Committee on the Sydney Railway Bill re-appointed this day.
8. Postponement:—On motion of the Colonial Secretary, the further consideration in Committee of the Distillation Bill postponed, until this day week.
9. Publicans' Bill:—On motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again to-morrow.
10. Postponement:—On motion of the Colonial Secretary, the consideration in Committee of the Spirit Duties Protection Bill postponed, until to-morrow.
Council adjourned at Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

THURSDAY, JULY 19.

NOTICE OF MOTION:—

1. THE COLONIAL SECRETARY to move, That Mr. Donaldson's name be replaced on the Standing Orders Committee.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. St. Philip's School Ground Bill; to be further considered in Committee.
2. Publicans' Bill; to be further considered in Committee.
3. Spirits' Duties Protection Bill; to be considered in Committee.

FRIDAY,

FRIDAY, JULY 20.

NOTICES OF MOTION :—

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he may be pleased to cause to be laid upon the Table of this House, a Return of the number of Inquests held by the Coroners in the various Districts for which such officers are now appointed in this Colony, and the results of such Inquests, together with the amount of charges for each Inquest, distinguishing the fees charged for *post mortem* examinations from those awarded as payment to medical witnesses for their attendance only, and the amounts charged by the respective Coroners for fees and mileage due to themselves.
2. MR. NICHOLS to move for leave to bring in a Bill to abolish Deodands.
3. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more "Circuit Districts" within the limits of the District of Port Phillip, and fixing the time for holding "Circuit Courts" therein at the towns of Geelong and Portland respectively.
4. MR. OAKES to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Estimates for the year 1850, a sum not exceeding £1,000, to be applied towards commencing the works required for supplying pure water to the Inhabitants of the Town and District of Parramatta.
5. MR. DARVALL to move, That Mr. Deas Thomson's Marriage Settlement Bill be now read a first time.
6. MR. DARVALL to move, That Mr. Deas Thomson's Marriage Settlement Bill be referred for the consideration and report of a Select Committee to consist of the Attorney General, Mr. W. Macarthur, Mr. Foster, and Mr. Cowper.
7. MR. MARTIN to move, That an Address be presented to His Excellency the Governor, requesting him to cause to be laid upon the Table of this House a Return shewing the Christian and Surnames of all persons now confined in the Lunatic Asylum at Tarban Creek, the date of their admission there, and by whose order and under what circumstances they were so admitted. Also a Return shewing the Christian and Surnames of all persons who died in or have been discharged from the said Asylum since the 1st of January 1844, and by whose order and under what circumstances they were confined there.
8. MR. LOWE to move, That the Petition from the Chairman and General Committee of the Friendly Society of Licensed Victuallers of New South Wales, presented by him on the 18th instant, be printed.

ORDERS OF THE DAY :—

1. Law of Evidence Bill Reported; adoption of the Report.
2. Merchant Seamen's Bill; to be considered in Committee.
3. Colonial Agent Bill Reported; adoption of the Report.
4. Melbourne City Bill; third reading.
5. Trust Money Bill; to be further considered in Committee.
6. Fraudulent Debtors Bill; third reading.

TUESDAY, JULY 24.

NOTICE OF MOTION :—

1. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.

ORDER OF THE DAY :—

1. Medical Profession Bill; second reading.

WEDNESDAY, JULY 25.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Financial Message, No. 35, with the Estimates of Ways and Means and of Expenditure for 1849-50.
2. Hawkers' and Pedlers' Bill; to be further considered in Committee.
3. Distillation Bill; to be further considered in Committee.

CHARLES NICHOLSON,

Speaker.

NOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 19 JULY, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
City Corporation:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return No. 2 enumerated in the Address on this subject, adopted on motion of Mr. Lowe, on the 30th May last.
Ordered to be printed, and referred to the Corporation Committee now sitting.
2. Melbourne and Geelong Bars:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Foster, on the 3rd instant.
Ordered to be printed.
3. Circular Wharf:—Mr. Lowe presented a Petition from certain proprietors and Inhabitants of Lower George-street, Sydney, and its neighbourhood, and others interested, praying that the western side of this wharf, commencing near the present Water Police Office, may be commenced and proceeded with as early as possible.
Petition received.
4. Standing Orders Committee:—The Colonial Secretary moved, pursuant to notice, That Mr. Donaldson's name be replaced on the Standing Orders Committee.
Question put and passed.
5. St. Philip's School Ground Bill:—The Order of the Day for the further consideration of this Bill in Committee being read,—The Colonial Secretary, having produced the Original Deed of Grant from the Crown of the piece or parcel of land in the Preamble to this Bill mentioned unto the Right Reverend William Grant Broughton D. D. Bishop of Australia or the Bishop of Australia for the time being, John Campbell and Francis Mitchell, and their Heirs and Assigns for ever, upon trust for the erection thereon of a School House in connexion with the United Church of England and Ireland as by Law established, bearing date the 30th day of January 1843, and stated that the said piece or parcel of Land is situate in Barrack-lane between York-street and George-street in the City of Sydney—that no School House has been erected thereon—and that the surrender in exchange sought to be effected by the Bill would be beneficial to the Trust,—Moved that the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of this Bill.
Question put and passed,—
Whereupon the Speaker left the Chair, and the Council resolved itself into Committee accordingly.
The Chairman reported no progress, and obtained leave to sit again on Wednesday next.
6. Publicans' Bill:—On motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
7. Postponement:—On motion of the Colonial Secretary the consideration in Committee of the Spirits' Duties Protection Bill postponed, until Wednesday next.
Council adjourned at Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

FRIDAY, JULY 20.

NOTICES OF MOTION:—

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he may be pleased to cause to be laid upon the Table of this House, a Return of the number of Inquests held by the Coronors in the various Districts for which such officers are now appointed in this Colony, and the results of such Inquests, together with the amount of charges for each Inquest, distinguishing the fees charged for *post mortem* examinations from those awarded as payment to medical witnesses for their attendance only, and the amounts charged by the respective Coronors for fees and mileage due to themselves.
2. MR. NICHOLS to move for leave to bring in a Bill to abolish Deodands.
3. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more "Circuit Districts" within the limits of the District of Port Phillip, and fixing the time for holding "Circuit Courts" therein at the towns of Geelong and Portland respectively.

4. MR. OAKES to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Estimates for the year 1850, a sum not exceeding £1,000, to be applied towards commencing the works required for supplying pure water to the Inhabitants of the Town and District of Parramatta.
5. MR. DARVALL to move, That Mr. Deas Thomson's Marriage Settlement Bill be now read a first time.
6. MR. DARVALL to move, That Mr. Deas Thomson's Marriage Settlement Bill be referred for the consideration and report of a Select Committee to consist of the Attorney General, Mr. W. Macarthur, Mr. Foster, and Mr. Cowper.
7. MR. MARTIN to move, That an Address be presented to His Excellency the Governor, requesting him to cause to be laid upon the Table of this House a Return shewing the Christian and Surnames of all persons now confined in the Lunatic Asylum at Tarban Creek, the date of their admission there, and by whose order and under what circumstances they were so admitted. Also a Return shewing the Christian and Surnames of all persons who died in or have been discharged from the said Asylum since the 1st of January 1844, and by whose order and under what circumstances they were confined there.
8. MR. LOWE to move, That the Petition from the Chairman and General Committee of the Friendly Society of Licensed Victuallers of New South Wales, presented by him on the 18th instant, be printed.

ORDERS OF THE DAY :—

1. Law of Evidence Bill Reported ; adoption of the Report.
2. Merchant Seamen's Bill ; to be considered in Committee.
3. Colonial Agent Bill Reported ; adoption of the Report.
4. Melbourne City Bill ; third reading
5. Trust Money Bill ; to be further considered in Committee.
6. Fraudulent Debtors Bill ; third reading.

TUESDAY, JULY 24.

NOTICES OF MOTION :—

1. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.
2. MR. DONALDSON to move the following Resolution :—
That whereas by a Regulation issued on the 5th March 1849, a period of two months was allowed for the private adjustment of all claims of disputed boundaries to Runs in respect of which Caveats had been lodged ; and whereas it appears that from the remoteness of many stations in the unsettled districts and the numerous obstacles attending the correspondence between proprietors of different runs (in many instances arising from the absence of any postal communication) the parties interested in the above mentioned Regulation could not take advantage of its provisions,—this Council resolves, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to direct the issue of a Supplementary Order, allowing a period of not less than three months from the present date for the settlement by friendly arbitration of all disputes arising between the proprietors of conterminous Runs.

ORDER OF THE DAY :—

1. Medical Profession Bill ; second reading.

WEDNESDAY, JULY 25.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Financial Message, No. 35, with the Estimates of Ways and Means and of Expenditure for 1849-50.
2. Hawkers' and Pedlers' Bill ; to be further considered in Committee.
3. Distillation Bill ; to be further considered in Committee.
4. St. Philip's School Ground Bill ; to be further considered in Committee.
5. Publicans' Bill ; to be further considered in Committee.
6. Spirits' Duties Protection Bill ; to be considered in Committee.

FRIDAY, JULY 27.

NOTICE OF MOTION :—

1. MR. FOSTER to move, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House, a Return of the General and Crown Revenue of the District of Port Phillip, from its settlement to 1st January 1849, and also of the Expenditure chargeable upon each respectively.

CHARLES NICHOLSON,

Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 20 JULY, 1849.

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.) Administration of Criminal Justice Bill.
 - (2.) Administration of Criminal Law Bill.
 - (3.) Moreton Bay Bill.
 - (4.) Party Processions Bill.
2. Messages :—The following Messages from His Excellency the Governor received and read :—
 - (1.) Marriage Registration Bill.

CH^S. A. FITZ ROY, Message No. 36.
Governor.

In accordance with the provisions of the Act for the Government of New South Wales 5th and 6th Victoria cap 76, the Governor transmits to the Legislative Council the Draft of a Bill " *To make further provision for ensuring the Registration of Marriages, Baptisms, and Burials.*"
Government House, Sydney,
20th July, 1849.

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Wednesday next.
 - (2.) Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill :—

CH^S. A. FITZ ROY, Message No. 37.
Governor.

In accordance with the provisions of the Act for the Government of New South Wales, 5th & 6th Victoria cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill " *To suspend for one year, so much of the Acts to incorporate the Cities of Sydney and Melbourne respectively, as relates to the estimating and levying a rate for the Police of the same.*"
Government House, Sydney,
20th July, 1849.

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Wednesday next.
3. Blue Book :—The Colonial Secretary, by Command of His Excellency the Governor, laid upon the Table the Blue Book for the past official year.
4. Motion withdrawn :—Mr. Donaldson withdrew the motion standing in his name second on the Notice Paper for Tuesday next, substituting an extended Notice of Motion on the same subject for the same day.
5. Public Hospitals Bill :—Mr. Foster having presented " *A Bill to amend An Act, intituled, " An Act to enable certain Public Hospitals to sue and be sued, in the name of their " Treasurer, and to provide for the taking and holding real property belonging to such " Hospitals,*" Bill read a first time ; ordered to be printed, and read a second time this day week.
6. Criminal Statistics :—The Colonial Secretary laid upon the Table certain Returns in reference to the Criminal Statistics of the Colony, together with an explanatory letter from His Honor Chief Justice Sir Alfred Stephen.

Ordered to be printed.
7. Presbyterian Marriage Bill :—Mr. Foster having presented " *A Bill to remove doubts as " to the validity of certain Marriages had and solemnized within the Colony of New " South Wales, by Ministers of the Presbyterian Church of Eastern Australia, the Free " Presbyterian Church of Australia Felix, and certain other Presbyterian Ministers, " and to regulate the Registration of certain Marriages, Baptisms, and Burials,*" Bill read a first time ; ordered to be printed, and read a second time, on Tuesday week.
8. Medical Profession Bill :—The Attorney General presented a Petition from certain Chymists and Druggists carrying on business in Sydney and its vicinity, praying to be heard by Counsel at the Bar of the House against certain of the provisions of this Bill.

Petition received.
9. Inquests and Coroners :—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he may be pleased to cause to be laid upon the Table of this House, a Return of the number of Inquests held by the

the Coroners in the various Districts for which such officers are now appointed in this Colony, and the results of such Inquests, together with the amount of charges for each Inquest, distinguishing the fees charged for *post mortem* examinations from those awarded as payment to medical witnesses for their attendance only, and the amounts charged by the respective Coroners for fees and mileage due to themselves.

Debate ensued.

Question put and passed; Address to be presented by the Speaker.

10. Crown Lands, Port Phillip :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Dr. Dickson, on the 22nd ultimo.

Ordered to be printed.

11. Deodands abolition Bill :—Mr. Nichols moved, pursuant to notice, That he have leave to bring in a Bill to abolish Deodands.

Question put and passed: *Ordered* That the Mover and Seconder prepare and bring in the Bill.

12. Postponement :—Dr. Dickson postponed the motion standing in his name third on the Notice Paper for to-day, until this day fortnight.

13. Parramatta Water :—Mr. Oakes moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Estimates for the year 1850, a sum not exceeding £1,000, to be applied towards commencing the works required for supplying pure water to the Inhabitants of the Town and District of Parramatta.

Debate ensued.

Question put.

Council divided.

Ayes, 16.

Mr. J. Macarthur,
Mr. Nichols,
Mr. Lowe,
The Attorney General,
Mr. Fitzgerald,
Mr. Martin,
Mr. Wentworth,
Mr. Darvall,
Dr. Dickson,
Mr. Allen,
Mr. Oakes,
Mr. W. Macarthur,
Mr. Icely,
Mr. Parker,
Mr. Foster,
Mr. Cowper, (Teller.)

Noes, 8.

The Colonial Treasurer,
Mr. Lamb,
Mr. Dangar,
Mr. Cooper,
The Collector of Customs,
The Colonial Secretary,
Mr. Hamilton,
Mr. Donaldson, (Teller.)

Address to be presented by the Speaker.

14. Postponement :—Mr. Darvall postponed the Motions standing in his name fifth and sixth on the Notice Paper for to-day, until Tuesday next.

15. Motion Withdrawn :—Mr. Martin withdrew the Motion standing in his name seventh on the Notice Paper for to-day, substituting an extended Notice of Motion on the same subject for Tuesday next.

16. Publicans' Petition :—Mr. Lowe moved, pursuant to notice, That the Petition from the Chairman and General Committee of the Friendly Society of Licensed Victuallers of New South Wales, presented by him on the 18th instant, be printed.

Debate ensued.

Question put and negatived.

17. Law of Evidence Bill Reported :—Mr. Nichols moved, That the Report of this Bill from the Committee of the whole Council be now adopted.

Question put and passed.

Mr. Nichols then moved, That the Speaker do now leave the Chair and the Council resolve itself into a Committee of the whole for the further consideration of this Bill.

Debate ensued (on the point of order whether consistently with the practice of Parliament a reported Bill can be recommitted without notice immediately after the adoption of the Report.)

Question put and passed.

Whereupon the Speaker left the Chair and the Council resolved itself into Committee accordingly.

The Chairman reported progress, and obtained leave to sit again on Tuesday next.

18. Merchant Seamen's Bill :—On motion of Mr. Nichols the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the consideration of this Bill. The Chairman reported progress, and obtained leave to sit again on Tuesday next.

19. Colonial Agent Bill Reported :—The Report of this Bill from the Committee of the whole Council having been adopted, on motion of Mr. Wentworth, Bill, as so reported, ordered to be engrossed, and read a third time on Tuesday next.

20. Melbourne City Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. William Macarthur, read a third time, and *passed*.

Mr.

Mr. William Macarthur then moved, That the following be the Title of the Bill, viz. :—
*" A Bill to effect the change in the style and title of the Corporation of Melbourne,
 rendered necessary by the erection of the Town of Melbourne into a City."*

Question put and passed.

21. Postponement:—On motion of Mr. Donaldson, on behalf of Mr. Darvall, the further consideration in Committee of the Trust Money Bill postponed, until Tuesday next.
22. Fraudulent Debtors Bill:—Mr. Nichols, on behalf of Mr. Fitzgerald, moved That the third reading of this Bill be postponed, until Tuesday next.
 Debate ensued.
 Question put and passed.
 Council adjourned at half-past Seven o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

TUESDAY, JULY 24.

NOTICES OF MOTION :—

1. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.
2. MR. DONALDSON to move the following Resolution :—
 That whereas by a Regulation issued on the 5th March 1849, a period of two months was allowed for the private adjustment of all claims of disputed boundaries to Runs in respect of which Caveats had been lodged ; and whereas it appears that from the remoteness of many stations in the unsettled districts and the numerous obstacles attending the correspondence between proprietors of different runs (in many instances arising from the absence of any postal communication) the parties interested in the above mentioned Regulation could not take advantage of its provisions,—this Council resolves, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to direct the issue of a Supplementary Order, allowing a period of not less than three months from the present date for the settlement by friendly arbitration of all disputes arising between the proprietors of runs—it being understood that in all cases where both parties are desirous to obtain the report of the Commissioner the enquiry may proceed.
3. MR. DONALDSON to move, That there be a Call of the House for Friday, the 24th August next, for the consideration of the Estimates for 1850,—such Call of the House to continue in force until the Estimates are disposed of.
4. MR. NICHOLS to move, That the name of Mr. Martin be replaced on the City Corporation Committee.
5. THE ATTORNEY GENERAL to move, That the Petitioners signing the Petition from certain Chymists and Druggists carrying on business in Sydney and its vicinity, presented on the 20th instant, be heard by Counsel at the Bar of this House, against certain provisions contained in the Bill for regulating the Medical Profession, being passed into a Law.
6. MR. LOWE to move, That Mr. Foster's name be added to the Land Committee.
7. MR. DARVALL to move, That Mr. Deas Thomson's Marriage Settlement Bill be now read a first time.
8. MR. DARVALL to move, That Mr. Deas Thomson's Marriage Settlement Bill be referred for the consideration and report of a Select Committee to consist of the Attorney General, Mr. W. Macarthur, Mr. Foster, and Mr. Cowper.
9. MR. MARTIN to move, That an Address be presented to His Excellency the Governor, requesting him to cause to be laid upon the Table of this House a Return shewing the Christian and Surnames of all persons now confined in the Lunatic Asylum at Tarban Creek, the date of their admission there, and by whose order and under what circumstances they were so admitted. Also a Return shewing the Christian and Surnames of all persons who died in or have been discharged from the said Asylum since the 1st of January 1844, and by whose order and under what circumstances they were confined there. Also a Return shewing the names of the visitors paid and unpaid appointed under the Acts of Council, 7 Vic. No. 14, and 9 Vic. No. 4, and on what days they have respectively attended at the Asylum. Also a Return shewing how many persons discharged as cured have been returned to the Asylum as insane since 1844, and the cause of the deaths of such persons as have died in the Asylum since the year 1844.

ORDERS OF THE DAY :—

1. Medical Profession Bill ; second reading.
2. Law of Evidence Bill Reported ; to be further considered in Committee.
3. Merchant Seamen's Bill ; to be further considered in Committee.
4. Colonial Agent Bill ; third reading.
5. Trust Money Bill ; to be further considered in Committee.
6. Fraudulent Debtors Bill ; third reading.

WEDNESDAY,

WEDNESDAY, JULY 25.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Financial Message, No. 35, with the Estimates of Ways and Means and of Expenditure for 1849-50.
2. Hawkers' and Pedlers' Bill; to be further considered in Committee.
3. Distillation Bill; to be further considered in Committee.
4. St. Philip's School Ground Bill; to be further considered in Committee.
5. Publicans' Bill; to be further considered in Committee.
6. Spirits' Duties Protection Bill; to be considered in Committee.
7. Consideration of Governor's Message No. 36; with Marriage Registration Bill.
8. Consideration of Governor's Message No. 37; with Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill.

FRIDAY, JULY 27.

NOTICES OF MOTION :—

1. MR. FOSTER to move, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House, a Return of the General and Crown Revenue of the District of Port Phillip, from its settlement to 1st January 1849, and also of the Expenditure chargeable upon each respectively.
2. MR. HAMILTON to move, That a Select Committee be appointed to inquire into the operation of the Law which allows the payment of wages in wine or beer made from grapes or grain grown by the employer—the members of such Committee to be Mr. James Macarthur, Mr. Donaldson, Mr. Lowe, Mr. Nichols, Mr. Hamilton, Mr. Cowper, and The Colonial Treasurer.

ORDERS OF THE DAY :—

1. Public Hospitals Bill; second reading.

TUESDAY, JULY 31.

1. Presbyterian Marriage Bill; second reading.

FRIDAY, AUGUST 3.

NOTICE OF MOTION :—

1. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more "Circuit Districts" within the limits of the District of Port Phillip, and fixing the time for holding "Circuit Courts" therein at the towns of Geelong and Portland respectively.

CHARLES NICHOLSON,

Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 24 JULY, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Medical Profession Bill :—Mr. Darvall presented a Petition from Donald MacEwan, M. D., and Charles Nathan, Surgeon, praying that this Bill be referred to a Select Committee, with an Instruction to such Committee to take the evidence of Members of the Medical Profession thereon.
Petition received.
2. Medical Profession Bill :—Mr. Martin presented a petition from Charles Lamonnierie Dictus Fattorini, Doctor of Medicine, praying that provision be made in this Bill to meet the case of professional men who though not having qualified in Great Britain or Ireland have nevertheless qualified in other countries, and for a long period practised in this Colony.
Petition received.
3. Criminal Statistics, Port Phillip :—The Colonial Secretary laid upon the Table certain Returns in reference to the Criminal Statistics of Port Phillip.
Ordered to be printed.
4. Steam Communication :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table a Despatch from the Right Honorable the Secretary of State, dated 9th February 1849, respecting a proposal for establishing Steam Communication with this Colony by way of the Cape.
Ordered to be printed.
5. Coal Mine, Loutit Bay :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Dr. Dickson, on the 28th ultimo.
Ordered to be printed.
6. Applications for Convicts :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Lamb, on the 12th ultimo.
7. Rules of Court :—The Colonial Secretary laid upon the Table the copy of a Letter from His Honor Chief Justice Sir Alfred Stephen, dated 5th August 1848, explanatory of the Equity portion of the Rules of Court laid upon the Table on the 12th ultimo.
Ordered to be printed
8. Medical Profession Bill :—The Colonial Secretary presented a Petition from certain Legally Qualified Medical Practitioners in the City of Sydney, praying that this Bill may be passed into Law.
Petition received.
9. Postponement :—Mr. Cowper postponed the Motion standing in his name first on the Notice Paper for to-day, until this day week.
10. Disputed Boundaries :—Mr. Donaldson moved, pursuant to notice, That whereas by a Regulation issued on the 5th March 1849, a period of two months was allowed for the private adjustment of all claims of disputed boundaries to Runs in respect of which Caveats had been lodged ; and whereas it appears that from the remoteness of many stations in the unsettled districts and the numerous obstacles attending the correspondence between proprietors of different Runs (in many instances arising from the absence of any postal communication) the parties interested in the above mentioned Regulation could not take advantage of its provisions,—this Council resolves, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to direct the issue of a Supplementary Order, allowing a period of not less than three months from the present date for the settlement by friendly arbitration of all disputes arising between the proprietors of Runs—it being understood that in all cases where both parties are desirous to obtain the report of the Commissioner the enquiry may proceed
Debate ensued.
Question put and passed ; Address to be presented by the Speaker.

11. Call of the House :—Mr. Donaldson moved, pursuant to notice, That there be a Call of the House for Friday, the 24th August next, for the consideration of the Estimates for 1850.—such Call of the House to continue in force until the Estimates are disposed of.
 Debate ensued.
 Question put.
 Council divided.
 Ayes, 10.
 Mr. Donaldson,
 Mr. Cooper,
 Mr. J. Macarthur,
 Mr. Wentworth,
 Mr. Dangar,
 Mr. Foster,
 Dr. Dickson,
 Mr. Fitzgerald,
 Mr. Oakes,
 Mr. Martiu, (Teller.)
- Noes, 11.
 The Colonial Secretary,
 Mr. Allen,
 Mr. Icely,
 Mr. Nichols,
 Mr. Lowe,
 The Colonial Treasurer,
 The Collector of Customs,
 The Attorney General,
 Mr. Berry,
 Mr. Lamb,
 Mr. Parker. (Teller.)
12. Motion withdrawn :—Mr. Nichols withdrew the motion standing in his name fourth on the Notice Paper for to-day.
13. Medical Profession Bill :—The Attorney General moved, pursuant to notice, That the Petitioners signing the Petition from certain Chymists and Druggists carrying on business in Sydney and its vicinity, presented on the 20th instant, be heard by Counsel at the Bar of this House against certain provisions contained in the Bill for regulating the Medical Profession being passed into Law.
 Debate ensued.
 Question put and passed.
14. Crown Lands Committee :—Mr. Lowe, as Chairman, moved, pursuant to notice, That Mr. Foster's name be added to the Land Committee.
 Question put and passed.
15. Postponement :—Mr. Donaldson, on behalf of Mr. Darvall, postponed the motions standing in Mr. Darvall's name seventh and eighth on the Notice Paper for to-day, until Friday next.
16. Lunatic Asylum, Tarban Creek :—Mr. Martin moved, pursuant to notice, That an Address be presented to His Excellency the Governor, requesting him to cause to be laid upon the Table of this "House" a Return shewing the Christian and Surnames of all persons now confined in the Lunatic Asylum at Tarban Creek, the date of their admission there, and by whose order and under what circumstances they were so admitted. Also a Return shewing the Christian and Surnames of all persons who died in or have been discharged from the said Asylum since the 1st of January 1844; and by whose order and under what circumstances they were confined there. "Also" a Return shewing the names of the visitors paid and unpaid appointed under the Acts of Council, 7 Vic. No. 14, and 9 Vic. No. 4, and on what days they have respectively attended at the Asylum. Also a Return shewing how many persons discharged as cured have been returned to the Asylum as insane since 1844, and the cause of the deaths of such persons as have died in the Asylum since the year 1844.
 Debate ensued.
 Moved as an amendment by Mr. Nichols, That all the words following the word "House" to and inclusive of the word "Also" be omitted.
 Debate continued.
 Question—That the words proposed to be omitted stand part of the question,—put and negatived.
 Question—That an Address be presented to His Excellency the Governor, requesting him to cause to be laid upon the Table of this House, a Return shewing the names of the visitors paid and unpaid, appointed under the Acts of Council, 7 Vic., No. 14, and 9 Vic., No. 4, and on what days they have respectively attended at the Asylum. Also, a Return shewing how many persons discharged as cured have been returned to the Asylum as insane since 1844, and the cause of the deaths of such persons as have died in the Asylum since the year 1844,—put and passed.
 Address to be presented by the Speaker.
17. Leave of Absence for one month granted to Colonel Snodgrass on motion of the Colonial Secretary.
18. Deodands Abolition Bill :—Mr. Nichols having presented "A Bill to abolish Deodands," Bill read a first time; ordered to be printed, and read a second time on Friday next.
19. Medical profession Bill :—Dr. Dickson moved, That this Bill "be" now read a second time.
 Mr. Nichols moved as an amendment, That all the words following the word "be" be omitted with a view to the insertion in their place of the words "referred to a Select Committee, consisting of Dr. Dickson, The Colonial Secretary, The Attorney General, Mr. Berry, Mr. Wentworth, Mr. Nichols, and Mr. Allen, with power to examine Witnesses and send for Papers and 'Documents;' and that the Chymists and Druggists who have petitioned against the Bill be allowed to appear by Counsel or Attorney before the Committee, and to examine and cross-examine Witnesses."
 Question—That the words proposed to be omitted stand part of the question—put and negatived.
 Question stated—That the words proposed to be inserted in place of the words omitted be so inserted.
 Debate ensued.

Moved

Moved as an amendment by the Attorney General, That all the words following the word 'Documents' be omitted.

Question—That all the words following the word 'Documents' proposed to be omitted stand part of the words proposed to be inserted in place of the words omitted from the Original Question—put and negatived.

The Colonial Secretary required That the Committee be appointed by Ballot.

Debate continued.

The Colonial Secretary withdrew his request.

Question stated—That in place of the words omitted from the Original Question there be inserted the words "referred to a Select Committee consisting of Dr. Dickson, 'The Colonial Secretary,' The Attorney General, Mr. Berry, Mr. Wentworth, " Mr. Nichols, and Mr. Allen, with power to examine Witnesses and send for Papers " and Documents."

Moved as an amendment by Mr. Lamb, That the words 'The Colonial Secretary,' be omitted with a view to the insertion in their place of the words "Mr. Cooper."

Question,—That the words proposed to be omitted stand part of the words proposed to be inserted in place of the words omitted from the Original Question—put and negatived.

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

Question stated, That in place of the words omitted from the Original Question there be inserted the words "referred to a Select Committee, consisting of Dr. Dickson, Mr. Cooper, the Attorney General, Mr. Berry, Mr. Wentworth, Mr. Nichols, and Mr. Allen, 'with power to examine witnesses and send for Papers and Documents.'

Moved as an amendment by Mr. Lowe, That the words 'with power to examine witnesses and send for papers and documents' be omitted.

Question,—That the words proposed to be omitted stand part of the words proposed to be inserted in place of the words omitted from the Original Question,—put and negatived.

Question,—That there be inserted in place of the words omitted from the Original Question the words "referred to a Select Committee, consisting of Dr. Dickson, Mr. " Cooper, The Attorney General, Mr. Berry, Mr. Wentworth, Mr. Nichols, and Mr. " Allen,"—put and passed.

Question,—That this Bill be referred to a Select Committee, consisting of Dr. Dickson, Mr. Cooper, The Attorney General, Mr. Berry, Mr. Wentworth, Mr. Nichols; and Mr. Allen,—put and passed.

20. Law of Evidence Bill Reported :—On motion of Mr. Nichols, the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.

The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Friday next.

21. Merchant Seamen's Bill :—On motion of Mr. Nichols, the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the further consideration of this Bill:

The Chairman reported progress, and obtained leave to sit again on Friday next.

22. Colonial Agent Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Wentworth, read a third time, and passed.

Mr. Wentworth then moved, That the following be the title of the Bill, viz. :—
" An Act to reappoint the Honorable Francis Scott to be the Agent for the Colony of New South Wales for one year."

Question put and passed.

23. Postponement :—On motion of Mr. Donaldson, on behalf of Mr. Darvall, the further consideration in Committee of the Trust Money Bill postponed, until Friday next.

24. Fraudulent Debtors' Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Fitzgerald, read a third time, and passed.

Mr. Fitzgerald then moved, That the following be the title of the Bill, viz. :—
" An Act " to prevent the escape from the Colony of Fraudulent Debtors."

Question put and passed.

Council adjourned at Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

 WEDNESDAY, JULY 25.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Financial Message, No. 35, with the Estimates of Ways and Means and of Expenditure for 1849-50.
2. Hawkers' and Pedlars' Bill; to be further considered in Committee.
3. Distillation Bill; to be further considered in Committee.
4. St. Philip's School Ground Bill; to be further considered in Committee.
5. Publicans' Bill; to be further considered in Committee.
6. Spirits' Duties Protection Bill; to be considered in Committee.
7. Consideration of Governor's Message No. 36; with Marriage Registration Bill.
8. Consideration of Governor's Message No. 37; with Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill.

 FRIDAY, JULY 27.

NOTICES OF MOTION :—

1. MR. FOSTER to move, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House, a Return of the General and Crown Revenue of the District of Port Phillip, from its settlement to 1st January 1849, and also of the Expenditure chargeable upon each respectively.
2. MR. HAMILTON to move, That a Select Committee be appointed to inquire into the operation of the Law which allows the payment of wages in wine or beer made from grapes or grain grown by the employer—the members of such Committee to be Mr. James Macarthur, Mr. Donaldson, Mr. Lowe, Mr. Nichols, Mr. Hamilton, Mr. Cowper, and The Colonial Treasurer.
3. MR. FOSTER to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House, all Correspondence with the Superintendent of Port Phillip and the Surveyor there in charge, relative to the notice dated 21st November, in the *Government Gazette*, relative to the occupation of Crown Lands within the settled Districts.
4. MR. FOSTER to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House, a Copy of the Correspondence between the Superintendent of Port Phillip and the Colonial Secretary relative to the transmission of Immigrants from Melbourne to Portland with or without their own consent; also of any correspondence relative to the alteration of the destination of Ships with Emigrants intended for Melbourne but sent to Geelong.
5. MR. DARVALL to move, That Mr. Deas Thomson's Marriage Settlement Bill be now read a first time.
6. MR. DARVALL to move, That Mr. Deas Thomson's Marriage Settlement Bill be referred for the consideration and report of a Select Committee to consist of the Attorney General, Mr. W. Macarthur, Mr. Foster, and Mr. Cowper.

ORDERS OF THE DAY :—

1. Public Hospitals Bill; second reading.
2. Deodands Abolition Bill; second reading.
3. Law of Evidence Bill; third reading.
4. Merchant Seamen's Bill; to be further considered in Committee.
5. Trust Money Bill; to be further considered in Committee.

 TUESDAY, JULY 31.

NOTICE OF MOTION :—

1. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.

ORDER OF THE DAY :—

1. Presbyterian Marriage Bill; second reading.

 FRIDAY, AUGUST 3.

NOTICE OF MOTION :—

1. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more "Circuit Districts" within the limits of the District of Port Phillip, and fixing the time for holding "Circuit Courts" therein at the towns of Geelong and Portland respectively.

CHARLES NICHOLSON,

Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 25 JULY, 1849.

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

Assent to Bill :—The Speaker reported that His Excellency the Governor had been pleased to give the Royal Assent to the Borax and Saltpetre Bill.

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

(1.) Standard Weights and Measures Bill.

CH^s. A. FITZ ROY,
Governor.

Message No. 38.

In accordance with the provisions of the Act for the Government of New South Wales 5 & 6 Victoria Cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill "For adopting certain Standard Weights and Measures."

*Government House, Sydney,
25th July, 1849.*

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

(2.) British Gin Bill.

CH^s. A. FITZ ROY,
Governor.

Message No. 39.

In accordance with the Act for the Government of New South Wales 5th and 6th Victoria Ch. 76, the Governor transmits to the Legislative Council the Draft of a Bill "To lower the Duty on Gin the produce of the United Kingdom."

2. This measure is submitted for the consideration of the Council, in obedience to the instructions of the Right Honorable the Secretary of State for the Colonies, as conveyed in a Despatch dated 20th November 1848, of which a copy is herein enclosed.

*Government House, Sydney,
25th July, 1849.*

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

3. Publicans' Bill :—Mr. Martin presented a Petition from certain Licensed Publicans residing in the District of Windsor, in the County of Cumberland, praying certain modifications in the provisions of this Bill.

Petition received.

4. Menangle Ford :—Mr. Fitzgerald presented a Petition from certain Clergymen, Magistrates, Merchants, Landowners, and others resident in the City of Sydney, the Counties of Cumberland, Camden, Argyle, Murray, Saint Vincent, and Auckland, praying the Council to take such measures as to them may seem expedient to obtain the erection of a Bridge over the Nepean River at Menangle Ford.

Petition received.

5. Menangle Ford :—Mr. Fitzgerald presented another Petition similar to the foregoing.

Petition received.

6. Publicans' Bill :—The Attorney General presented a Petition from certain Licensed Victuallers of the District of Sydney in favor of certain restrictions in this Bill affecting gaming and credit.

Petition received.

7. Education :—Mr. Nichols presented a Petition from certain Roman Catholic Inhabitants of Maitland and its vicinity, praying that the funds to be appropriated for Denominational Education may be distributed among the Denominations according to their respective numbers.

Petition received.

8. Licenses to Hawkers and Pedlers :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Nichols, on the 21st ultimo.
Ordered to be printed.
9. Postponement :—On motion of the Colonial Treasurer, the consideration of the Governor's Financial Message No. 35, with the Estimates of Ways and Means and of Expenditure for 1849-50 postponed, until this day week.
10. Hawkers' and Pedlers' Bill :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again to-morrow.
11. Distillation Bill :—On motion of the Colonial Secretary, the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again to-morrow.
12. St. Philip's School Ground Bill :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with an amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
13. Publicans' Bill :—On motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again to-morrow.
14. Postponement :—On motion of the Colonial Secretary the consideration in Committee of the Spirits' Duties Protection Bill postponed, until to-morrow.
15. Marriage Registration Bill :—The Governor's Message No. 36, received with this Bill on the 20th instant, having been read on motion of the Colonial Secretary,—
The Colonial Secretary moved, That the Bill which accompanied His Excellency's Message be now read a first time.
Debate ensued.
Question put and passed.
Bill intituled, "*A Bill to make further provision for ensuring the Registration of Marriages, Baptisms, and Burials,*" read a first time; to be read a second time on Wednesday next.
16. Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill :—The Governor's Message No. 37, received with this Bill on the 20th instant, having been read, on motion of the Colonial Secretary, Bill, intituled, "*A Bill to suspend for one year so much of the Acts to Incorporate the Cities of Sydney and Melbourne respectively, as relates to the estimating and levying a rate for the Police of the same,*" read a first time; to be read a second time on Wednesday next.
Council adjourned at a quarter after Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

THURSDAY, JULY 26.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Hawkers' and Pedlers' Bill; to be further considered in Committee.
 2. Distillation Bill; to be further considered in Committee.
 3. Publicans' Bill; to be further considered in Committee.
 4. Spirits' Duties Protection Bill; to be considered in Committee.
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FRIDAY,

FRIDAY, JULY 27.

NOTICES OF MOTION :—

1. MR. FOSTER to move, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House, a Return of the General and Crown Revenue of the District of Port Phillip, from its settlement to 1st January 1849, and also of the Expenditure chargeable upon each respectively.
2. MR. HAMILTON to move, That a Select Committee be appointed to inquire into the operation of the Law which allows the payment of wages in wine or beer made from grapes or grain grown by the employer—the members of such Committee to be Mr. James Macarthur, Mr. Donaldson, Mr. Lowe, Mr. Nichols, Mr. Hamilton, Mr. Cowper, and The Colonial Treasurer.
3. MR. FOSTER to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House, all Correspondence with the Superintendent of Port Phillip and the Surveyor there in charge, relative to the notice dated 21st November, in the *Government Gazette*, relative to the occupation of Crown Lands within the settled Districts.
4. MR. FOSTER to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House, a Copy of the Correspondence between the Superintendent of Port Phillip and the Colonial Secretary relative to the transmission of Immigrants from Melbourne to Portland with or without their own consent; also of any correspondence relative to the alteration of the destination of Ships with Emigrants intended for Melbourne but sent to Geelong.
5. MR. DARVALL to move, That Mr. Deas Thomson's Marriage Settlement Bill be now read a first time.
6. MR. DARVALL to move, That Mr. Deas Thomson's Marriage Settlement Bill be referred for the consideration and report of a Select Committee to consist of the Attorney General, Mr. W. Macarthur, Mr. Foster, and Mr. Cowper.

ORDERS OF THE DAY :—

1. Public Hospitals Bill; second reading.
2. Deodands Abolition Bill; second reading.
3. Law of Evidence Bill; third reading.
4. Merchant Seamen's Bill; to be further considered in Committee.
5. Trust Money Bill; to be further considered in Committee.

TUESDAY, JULY 31.

NOTICE OF MOTION :—

1. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.

ORDER OF THE DAY :—

1. Presbyterian Marriage Bill; second reading.

WEDNESDAY, AUGUST 1.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 38, with Standard Weights and Measures Bill.
2. Consideration of Governor's Message No. 39, with British Gin Bill.
3. Consideration of Governor's Financial Message No. 35, with the Estimates of Ways and Means and of Expenditure for 1849-50.
4. St. Philip's School Ground Bill; third reading.
5. Marriage Registration Bill; second reading.
6. Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill; second reading.

FRIDAY, AUGUST 3.

NOTICE OF MOTION :—

1. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more "Circuit Districts" within the limits of the District of Port Phillip, and fixing the time for holding "Circuit Courts" therein at the towns of Geelong and Portland respectively.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 26 JULY, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Postponement :—Mr. Hamilton postponed the motion standing in his name second on the Notice Paper for to-morrow, until to-morrow week.
2. Colonial Accounts :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table a copy of the Instructions and Forms for keeping the Accounts of Colonial Receipts and Expenditure, referred to in the Financial Message for the year 1849—50 received from His Excellency the Governor on the 17th instant.
3. Average Dividend in Insolvent Estates :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Lowe, on the 15th June last ;—together with documents explanatory thereof.
Return ordered to be printed.
4. Police Pay :—Mr. Nichols presented a Petition from the Chief Inspector, Inspectors, Sergeants, and Constables of the Sydney Police Force, praying compensation for the reduction in their pay, made by the City Council, since the year 1844.
Petition received.
5. Hawkers' and Pedlers' Bill :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
6. Distillation Bill :—The Colonial Secretary moved, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of this Bill.
Debate ensued.
Motion by leave withdrawn.
The Colonial Secretary then moved, That the further consideration of this Bill in Committee be postponed, until this day week.
Question put and passed.
7. Publicans' Bill :—On motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day week.
8. Postponement :—On motion of the Colonial Secretary, the consideration in Committee of the Spirits' Duties Protection Bill postponed, until Wednesday next.
Council adjourned at Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

FRIDAY, JULY 27.

NOTICES OF MOTION :—

1. Mr. FOSTER to move, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House, a Return of the General and Crown Revenue of the District of Port Phillip, from its settlement to 1st January 1849, and also of the Expenditure chargeable upon each respectively.
2. Mr. FOSTER to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House, all Correspondence with the Superintendent of Port Phillip and the Surveyor there in charge, relative to the notice dated 21st November, in the *Government Gazette*, relative to the occupation of Crown Lands within the settled Districts.

3. MR. FOSTER to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House, a Copy of the Correspondence between the Superintendent of Port Phillip and the Colonial Secretary relative to the transmission of Immigrants from Melbourne to Portland with or without their own consent; also of any correspondence relative to the alteration of the destination of Ships with Emigrants intended for Melbourne but sent to Geelong.
4. MR. DARVALL to move, That Mr. Deas Thomson's Marriage Settlement Bill be now read a first time.
5. MR. DARVALL to move, That Mr. Deas Thomson's Marriage Settlement Bill be referred for the consideration and report of a Select Committee to consist of the Attorney General, Mr. W. Macarthur, Mr. Foster, and Mr. Cowper.

ORDERS OF THE DAY :—

1. Public Hospitals Bill; second reading.
2. Deodands Abolition Bill; second reading.
3. Law of Evidence Bill; third reading.
4. Merchant Seamen's Bill; to be further considered in Committee.
5. Trust Money Bill; to be further considered in Committee.

TUESDAY, JULY 31.

NOTICES OF MOTION :—

1. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.
2. MR. NICHOLS to move That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House a Report of the Board for the regulation of Steam Vessels, on the present system of Pilotage in the Harbour of Port Jackson, together with the evidence upon which such Report was founded.

ORDER OF THE DAY :—

1. Presbyterian Marriage Bill; second reading.

WEDNESDAY, AUGUST 1.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 38, with Standard Weights and Measures Bill.
2. Consideration of Governor's Message No. 39, with British Gin Bill.
3. Consideration of Governor's Financial Message No. 35, with the Estimates of Ways and Means and of Expenditure for 1849-50.
4. St. Philip's School Ground Bill; third reading.
5. Marriage Registration Bill; second reading.
6. Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill; second reading.
7. Hawkers' and Pedlers' Bill; to be further considered in Committee.
8. Spirits' Duties Protection Bill; to be considered in Committee.

THURSDAY, AUGUST 2.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

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

FRIDAY, AUGUST 3.

NOTICE OF MOTION :—

1. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more "Circuit Districts" within the limits of the District of Port Phillip, and fixing the time for holding "Circuit Courts" therein at the towns of Geelong and Portland respectively.
2. MR. HAMILTON to move, That a Select Committee be appointed to inquire into the operation of the Law which allows the payment of wages in wine or beer made from grapes or grain grown by the employer—the members of such Committee to be Mr. James Macarthur, Mr. Donaldson, Mr. Lowe, Mr. Nichols, Mr. Hamilton, Mr. Cowper, and The Colonial Treasurer.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

FRIDAY, 27 JULY, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair. Assent to Bill:—The Speaker reported that His Excellency the Governor had been pleased to give the Royal Assent to the Fraudulent Debtors' Bill.
2. Postage Bill:—The following Message from His Excellency the Governor received and read:—

CH^S. A. FITZ ROY,
Governor.

Message No. 40.

The Governor, in his opening address to the Legislative Council on the 17th May last, expressed an intention of bringing under the consideration of the Council, a measure having for its object the introduction of a uniform rate of Postage.

2. In fulfilment of that intention His Excellency now transmits to the Council the Draft of a Bill, intituled, "*A Bill to establish an uniform rate of Postage, and to consolidate and amend the law for the conveyance and postage of Letters.*"
Government House, Sydney,
27th July, 1849.

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

3. Revenue and Expenditure of Port Phillip:—Mr. Foster moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House, a Return of the General and Crown Revenue of the District of Port Phillip, from its settlement to 1st January 1849, and also of the Expenditure chargeable upon each respectively.
Question put and passed; Address to be presented by the Speaker.
4. Regulations for Occupation of Crown Lands, Port Phillip:—Mr. Foster moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House, all Correspondence with the Superintendent of Port Phillip and the Surveyor there in charge, relative to the notice dated 21st November, in the *Government Gazette*, relative to the occupation of Crown Lands within the settled Districts.
Question put and passed; Address to be presented by the Speaker.
5. Immigration, Port Phillip:—Mr. Foster moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House, a Copy of the Correspondence between the Superintendent of Port Phillip and the Colonial Secretary relative to the transmission of Immigrants from Melbourne to Portland with or without their own consent; also of any Correspondence relative to the alteration of the destination of Ships with Emigrants intended for Melbourne but sent to Geelong.
Debate ensued.
Question put and passed; Address to be presented by the Speaker.
6. Mr. Deas Thomson's Marriage Settlement Bill:—Mr. Darvall moved, pursuant to notice, That this Bill be now read a first time.
Question put and passed; and Bill, intituled:—"*A Bill for defining the powers of the Trustees or Trustee for the time being of the Settlement made on the Marriage of the Honorable Edward Deas Thomson with Anne Maria his wife, and for giving better effect to Sales and Exchanges made, and to be made pursuant thereto, and for other purposes.*" read a first time.
Mr. Darvall then moved, pursuant to notice, That Mr. Deas Thomson's Marriage Settlement Bill be referred for the consideration and report of a Select Committee, to consist of the Attorney General, Mr. W. Macarthur, Mr. Foster, and Mr. Cowper.
Question put and passed.
7. Public Hospitals Bill:—Mr. Foster moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed; and Bill read a second time,—
Whereupon, on motion of Mr. Foster, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman reported progress, and obtained leave to sit again on Tuesday next.
8. Deodands Abolition Bill, having been read a second time, on motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Tuesday next.

9. **Law of Evidence Bill** :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, on motion of Mr. Nichols, read a third time, and *passed*
Mr. Nichols then moved, That the following be the title of the Bill, viz. :—“ *An Act to amend the law of Evidence, and to facilitate the admission as evidence of certain Official and other Documents ; and to give protection to persons employed in the printing and publication of papers by the order or authority of the Legislative Council, or a Committee thereof.*”
Question put and passed.
10. **Merchant Seamen's Bill** :—On motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Friday next.
11. **Trust Money Bill** :—On motion of Mr. Darvall, the Speaker left the Chair, and 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, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Friday next.
Council adjourned at half-past Six o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

TUESDAY, JULY 31.

NOTICES OF MOTION :—

1. **MR. COWPER** to move, That the Sydney Railway Bill be now read a second time.
2. **MR. NICHOLS** to move That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House a Report of the Board for the regulation of Steam Vessels, on the present system of Pilotage in the Harbour of Port Jackson, together with the evidence upon which such Report was founded.

ORDERS OF THE DAY :—

1. Presbyterian Marriage Bill ; second reading.
2. Public Hospitals Bill ; to be further considered in Committee.
3. Deodands Abolition Bill ; third reading.

WEDNESDAY, AUGUST 1.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 38, with Standard Weights and Measures Bill.
2. Consideration of Governor's Message No. 39, with British Gin Bill.
3. Consideration of Governor's Financial Message No. 35, with the Estimates of Ways and Means and of Expenditure for 1849-50.
4. St. Philip's School Ground Bill ; third reading.
5. Marriage Registration Bill ; second reading.
6. Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill ; second reading.
7. Hawkers' and Pedlers' Bill ; to be further considered in Committee.
8. Spirits' Duties Protection Bill ; to be considered in Committee.

THURSDAY, AUGUST 2.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Distillation Bill ; to be further considered in Committee.
2. Publicans' Bill ; to be further considered in Committee.
3. Consideration of Governor's Message No. 40, with Postage Bill.

FRIDAY, AUGUST 3.

NOTICES OF MOTION :—

1. **DR. DICKSON** to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more “ Circuit Districts ” within the limits of the District of Port Phillip, and fixing the time for holding “ Circuit Courts ” therein at the towns of Geelong and Portland respectively.
2. **MR. HAMILTON** to move, That a Select Committee be appointed to inquire into the operation of the Law which allows the payment of wages in wine or beer made from grapes or grain grown by the employer—the members of such Committee to be Mr. James Macarthur, Mr. Donaldson, Mr. Lowe, Mr. Nichols, Mr. Hamilton, Mr. Cowper, and The Colonial Treasurer.

ORDERS OF THE DAY :—

1. Merchant Seamen's Bill ; to be further considered in Committee.
2. Trust Money Bill ; third reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 31 JULY, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Assent to Bill :—The Speaker reported that His Excellency the Governor had been pleased to give the Royal Assent to the Courts of Requests and Petty Sessions Auction Bill.
2. Member sworn :—Henry Moor, Esquire, took the Oath, and, having handed to the Clerk at the Table the following Declaration of his Qualification, took his seat as Member for the Electoral District of Port Phillip.
“ I Henry Moor do declare and testify That I am duly soised 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, and that the said lands and
“ tenements are situated at the junction of William-street and Collins-lane in the City
“ of Melbourne and are in my own occupation and used as a dwelling-house and offices.
“ That the nature of my estate therein is fee simple and that I have not collusively or
“ colorably obtained a title to or become possessed of the said lands and tenements
“ or any part thereof for the purpose of qualifying or enabling me to be returned a
“ Member of the Legislative Council of the Colony of New South Wales.”
HENRY MOOR.
- 31st July, 1849.
3. Publicans' Bill :—Mr. Nichols presented a Petition from the Officers of the Australian District of the Ancient Order of Foresters, on behalf of the Members connected with the same, praying that their Order may be added to the Societies excepted from the operation of the clauses of this Bill which prohibit the meeting of illegal Societies in public houses.
Petition received.
4. Bank Returns :—The Colonial Secretary laid upon the Table the General Abstract of the sworn Returns of the average Assots and Liabilities and of the Capital and Profits of the several Banks, for the quarter ended 30th June 1849—rendered pursuant to 4 Victoria, No. 13.
Ordered to be printed.
5. Revenue and Expenditure :—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Donaldson, on the 5th instant.
Ordered to be printed.
6. Postponement :—Mr. Cowper postponed the motion standing in his name first on the Notice Paper for to-day, until this day week.
7. Regulations affecting Steam Vessels :—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House a Report of the Board for the regulation of Steam Vessels on the present system of Pilotage in the Harbour of Port Jackson, together with the evidence upon which such Report was founded.
Question put and passed ; Address to be presented by the Speaker.
8. Light Houses, Bass's Straits :—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Wentworth, on the 17th instant.
Referred to the Select Committee on Light Houses, now sitting.
9. Presbyterian Marriage Bill :—Mr. Foster moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time ; to be committed on Friday next.
10. Public Hospitals Bill :—On motion of Mr. Foster the Speaker left the Chair, and 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, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
11. Deodands Abolition Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Nichols, read a third time, and passed
Mr. Nichols then moved, That the following be the title of the Bill, viz. :—“ An Act to
“ abolish Deodands.”
Question put and passed.
Council adjourned at a quarter after Four o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

WEDNESDAY, AUGUST 1.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 38, with Standard Weights and Measures Bill.
2. Consideration of Governor's Message No. 39, with British Gin Bill.
3. Consideration of Governor's Financial Message No. 35, with the Estimates of Ways and Means and of Expenditure for 1849-50.
4. St. Philip's School Ground Bill ; third reading.
5. Marriage Registration Bill ; second reading.
6. Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill ; second reading.
7. Hawkers' and Pedlers' Bill ; to be further considered in Committee.
8. Spirits' Duties Protection Bill ; to be considered in Committee.

THURSDAY, AUGUST 2.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Distillation Bill ; to be further considered in Committee.
2. Publicans' Bill ; to be further considered in Committee.
3. Consideration of Governor's Message No. 40, with Postage Bill.

FRIDAY, AUGUST 3.

NOTICES OF MOTION :—

1. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more " Circuit Districts " within the limits of the District of Port Phillip, and fixing the time for holding " Circuit Courts " therein at the towns of Geelong and Portland respectively.
2. MR. HAMILTON to move, That a Select Committee be appointed to inquire into the operation of the Law which allows the payment of wages in wine or beer made from grapes or grain grown by the employer—the members of such Committee to be Mr. James Macarthur, Mr. Donaldson, Mr. Lowe, Mr. Nichols, Mr. Hamilton, Mr. Cowper, and The Colonial Treasurer.
3. MR. LAMB to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid on the Table of the House, a Return shewing the number of gallons of Geneva which have been entered for home consumption, and the amount of Duty received thereon, during the half-year ended June 30th, 1849 ; also the number of gallons of British Gin entered, and the amount of Duty received thereon, during the same period.
4. MR. NICHOLS to move for leave to bring in a Bill for the Care and Education of Infants who may be convicted of Felony or Misdemeanor.

ORDERS OF THE DAY :—

1. Merchant Seamen's Bill ; to be further considered in Committee.
2. Trust Money Bill ; third reading.
3. Presbyterian Marriage Bill ; to be considered in Committee.

TUESDAY, AUGUST 7.

NOTICES OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill for the more effectual Prevention of Frauds and Abuses committed by persons employed in the manufacture of various articles of trade.
2. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.

ORDER OF THE DAY :—

1. Public Hospitals Bill ; third reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 1 AUGUST, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Education :—
(1.) Mr. Oakes presented a Petition from certain Roman Catholic Inhabitants of Parramatta and its vicinity, praying that the funds to be appropriated for Denominational Education may be distributed among the Denominations according to their respective numbers.
Petition received.
(2.) Mr. Lowe presented a Petition from certain Roman Catholic Inhabitants of Sydney and its vicinity, praying that the funds to be appropriated for Denominational Education may be distributed among the Denominations according to their respective numbers.
Petition received.
2. Publicans' Bill :—Mr. Lowe presented a Petition from certain Members of the Ancient Order of Royal Foresters, praying that their Order may be added to the Societies excepted from the operation of the clauses of this Bill which prohibit the meeting of illegal Societies in public houses.
Petition received.
3. Standard Weights and Measures Bill :—The Governor's Message No. 38, received with this Bill on the 25th ultimo, having been read, on motion of the Colonial Secretary, Bill, intituled, "*A Bill for adopting certain Standard Weights and Measures,*" read a first time ; to be read a second time on Wednesday next.
4. British Gin Bill :—The Governor's Message No. 30, received with this Bill on the 25th ultimo, having been read on motion of the Colonial Secretary,—
The Colonial Secretary moved, That the Bill accompanying the Message be now read a first time.
Debate ensued.
Question put and passed, and Bill, intituled "*A Bill to lower the Duty on Gin the produce of the United Kingdom,*" read a first time ; to be read a second time this day week.
5. Finance 1849-50 :—The Financial Message No. 35, received from His Excellency the Governor on the 17th ultimo, having been read on motion of the Colonial Treasurer,—
The Colonial Treasurer moved, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1849-50, accompanying the Message just read.
Debate ensued.
Question put and passed, and the Council resolved itself into Committee accordingly. The Chairman reported progress, and obtained leave to sit again to-morrow.
6. Postponement :—On motion of the Colonial Secretary the remaining Orders of the Day postponed, until to-morrow.
Council adjourned at a quarter before Ten o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

THURSDAY, AUGUST 2.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Distillation Bill ; to be further considered in Committee.
2. Publicans' Bill ; to be further considered in Committee.
3. Consideration of Governor's Message No. 40, with Postage Bill.
4. Supplementary Estimate and Estimates of Expenditure for 1849-50 ; to be further considered in Committee.
5. St. Philip's School Ground Bill ; third reading.
6. Marriage Registration Bill ; second reading.
7. Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill ; second reading.
8. Hawkers' and Pedlers' Bill ; to be further considered in Committee.
9. Spirits' Duties Protection Bill ; to be considered in Committee.

FRIDAY,

FRIDAY, AUGUST 3.

NOTICES OF MOTION :—

1. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more "Circuit Districts" within the limits of the District of Port Phillip, and fixing the time for holding "Circuit Courts" therein at the towns of Geelong and Portland respectively.
2. MR. HAMILTON to move, That a Select Committee be appointed to inquire into the operation of the Law which allows the payment of wages in wine or beer made from grapes or grain grown by the employer—the members of such Committee to be Mr. James Macarthur, Mr. Donaldson, Mr. Lowe, Mr. Nichols, Mr. Hamilton, Mr. Cowper, and The Colonial Treasurer.
3. MR. LAMB to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid on the Table of the House, a Return showing the number of gallons of Geneva which have been entered for home consumption, and the amount of Duty received thereon, during the half-year ended June 30th, 1849; also the number of gallons of British Gin entered, and the amount of Duty received thereon, during the same period.
4. MR. NICHOLS to move for leave to bring in a Bill for the Care and Education of Infants who may be convicted of Felony or Misdemeanor.
5. MR. MOON to move for leave to bring in a Bill for Regulating Buildings and Party Walls, and for preventing mischiefs by fire in the City of Melbourne.
6. MR. FOSTER to move, That the name of Mr. Moor be added to the Select Committee on Aborigines and Protectorate now sitting.

ORDERS OF THE DAY :—

1. Merchant Seamen's Bill; to be further considered in Committee.
2. Trust Money Bill; third reading.
3. Presbyterian Marriago Bill; to be considered in Committee.

TUESDAY, AUGUST 7.

NOTICES OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill for the more effectual Prevention of Frauds and Abuses committed by persons employed in the manufacture of various articles of trade.
2. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.
3. MR. OAKES to move, That the Petition of the Roman Catholic Inhabitants of Parramatta presented by him on the 1st instant be printed.
4. MR. LOWE to move, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House copies of the proceedings of the so called Consistorial Court, in the case of the Rev. Mr. Russell, and of all papers tending to throw light on the origin and jurisdiction of the said so called Court.
5. DR. DICKSON to move for leave to bring in a Bill for the purpose of establishing a Municipal Corporation in the town of Geelong.

ORDER OF THE DAY :—

1. Public Hospitals Bill; third reading.

WEDNESDAY, AUGUST 8.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Standard Weights and Measures Bill; second reading.
2. British Gin Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 2 AUGUST, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
City Corporation :—Mr. Lowe, as Chairman, brought up the Report from and laid upon the Table the Evidence taken before the Select Committee appointed on the 22nd May last to inquire into and report on the working of the Corporation of the City of Sydney.
Ordered to be printed.
2. Publicans' Bill :—
(1.) Mr. Lowe presented a Petition from the Officers of Lodge No. 1 of the Order of Philanthropy, on behalf of the members connected with the same, praying that their Order may be added to the Societies excepted from the operation of the clauses of this Bill which prohibit the meeting of illegal Societies in public houses.
Petition received.
(2.) Mr. Lowe presented a Petition from the Officers of the Sydney Thistle Lodge of Free Gardeners, on behalf of the Members connected with the same, praying that their Order may be added to the Societies excepted from the operation of the clauses of this Bill which prohibit the meeting of illegal Societies in public houses.
Petition received.
3. Education :—Mr. James Macarthur presented a Petition from certain Roman Catholic Inhabitants of Wollongong and its vicinity, praying that the funds to be appropriated for Denominational Education may be distributed among the Denominations according to their respective numbers.
Petition received.
4. Distillation Bill :—On motion of the Colonial Secretary the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day fortnight.
5. Publicans' Bill :—On motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day week.
6. Postage Bill :—The Governor's Message No. 40, received with this Bill on the 27th ultimo, having been read on motion of the Colonial Secretary,—
The Colonial Secretary moved, That the Bill accompanying the Message be now read a first time.
Debate ensued.
Question put and passed, and Bill, intituled, "*A Bill to establish an Uniform Rate of Postage, and to consolidate and amend the Law for the conveyance and postage of Letters,*" read a first time ; to be read a second time this day week.
7. Postal Statistics :—The Colonial Secretary laid upon the Table :—
(1.) Return shewing the progressive increase of the Post Office Department, in its Revenue, Expenditure, and General Business, from the 1st March 1828, (when first established), to the 31st December 1838, inclusive.
(2.) Return shewing the progressive increase of the Post Office Department, in its Revenue, Expenditure, and General Business, from 1st January 1839, to 31st December 1848.
(3.) Estimated Return of the number of Letters reduced to single rates circulating in New South Wales during the year 1848, exclusive of Port Phillip, shewing the amount of Postage, the average rate per Letter, and the average cost of conveyance for Inland Letters.
together with the Copy of a Correspondence between the Postmaster General of this Colony and the Post Office Authorities at Home respecting the pre-payment of Ship Letters.
Ordered to be printed.
8. Postponement :—On motion of the Colonial Treasurer the further consideration in Committee of the Supplementary Estimate and Estimates of Expenditure for the year 1849-50 postponed, until Wednesday next.
9. St. Philip's School Ground Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and passed.

The

The Colonial Secretary then moved, That the following be the title of the Bill, viz. :—
" An Act to enable the Trustees of the Church of England School House, parish of St. Philip, Sydney, to surrender a certain piece of ground, in Sydney aforesaid, to the Crown, on receiving a grant from the Crown of another portion of Ground of equal value."

Question put and passed.

10. Postponement :—On motion of the Colonial Secretary the remaining Orders of the Day postponed, until Wednesday next.
 Council adjourned at a quarter after Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

FRIDAY, AUGUST 3.

NOTICES OF MOTION :—

1. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more " Circuit Districts " within the limits of the District of Port Phillip, and fixing the time for holding " Circuit Courts " therein at the towns of Geelong and Portland respectively.
2. MR. HAMILTON to move, That a Select Committee be appointed to inquire into the operation of the Law which allows the payment of wages in wine or beer made from grapes or grain grown by the employer—the members of such Committee to be Mr. James Macarthur, Mr. Donaldson, Mr. Lowe, Mr. Nichols, Mr. Hamilton, Mr. Cowper, and The Colonial Treasurer.
3. MR. LAMB to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid on the Table of the House, a Return shewing the number of gallons of Geneva which have been entered for home consumption, and the amount of Duty received thereon, during the half-year ended June 30th, 1849; also the number of gallons of British Gin entered, and the amount of Duty received thereon, during the same period.
4. MR. NICHOLS to move for leave to bring in a Bill for the Care and Education of Infants who may be convicted of Felony or Misdemeanor.
5. MR. MOOR to move for leave to bring in a Bill for Regulating Buildings and Party Walls, and for preventing mischiefs by fire in the City of Melbourne.
6. MR. FOSTER to move, That the name of Mr. Moor be added to the Select Committee on Aborigines and Protectorate now sitting.
7. MR. DONALDSON to move, That a Select Committee, to consist of four Members besides the mover, be appointed to inquire into and report upon the present state of the Law relating to Catarrh in Sheep, to consist of Mr. Hamilton, Mr. Foster, Mr. Macintyre, and Mr. James Macarthur.

ORDERS OF THE DAY :—

1. Merchant Seamen's Bill; to be further considered in Committee.
2. Trust Money Bill; third reading.
3. Presbyterian Marriage Bill; to be considered in Committee.

TUESDAY, AUGUST 7.

NOTICES OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill for the more effectual Prevention of Frauds and Abuses committed by persons employed in the manufacture of various articles of trade.
2. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.
3. MR. OAKES to move, That the Petition of the Roman Catholic Inhabitants of Parramatta presented by him on the 1st instant be printed.
4. MR. LOWE to move, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House copies of the proceedings of the so called Consistorial Court, in the case of the Rev. Mr. Russell, and of all papers tending to throw light on the origin and jurisdiction of the said so called Court.
5. DR. DICKSON to move for leave to bring in a Bill for the purpose of establishing a Municipal Corporation in the town of Geelong.
6. MR. DONALDSON to move, That this Council having considered the subject of reform in the Colonial rates of Postage which is now before this House,—Resolves :—
 (1.) That it is highly desirable, with a view to give effect to any measure which may tend to improve our means of postal communication generally, that an arrangement should be made with Her Majesty's Government at Home, by which all letters may, at the option of the parties corresponding, be pre-paid in full, either in England or in the Colony, for the whole distance from the post town in one country to the post town in the other.

That

- (2.) That an Address be presented to Her Majesty the Queen, praying that such instructions be given to the proper authorities for giving effect to this arrangement as to Her Majesty may seem meet.
7. MR. FOSTER to move, That in the opinion of this Council, all Revenues raised in Port Phillip after the 1st January 1850, whether General or Territorial, should be expended for the benefit of that District, or be held to its credit until the Act of Parliament for the separation of the Colony takes effect.

ORDER OF THE DAY :—

1. Public Hospitals Bill; third reading.

 WEDNESDAY, AUGUST 8.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Standard Weights and Measures Bill; second reading.
2. British Gin Bill; second reading.
3. Supplementary Estimate and Estimates of Expenditure for 1849-50; to be further considered in Committee.
4. Marriage Registration Bill; second reading.
5. Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill; second reading.
6. Hawkers' and Padlers' Bill; to be further considered in Committee.
7. Spirits' Duties Protection Bill; to be considered in Committee.

 THURSDAY, AUGUST 9.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Publicans' Bill; to be further considered in Committee.
2. Postage Bill; second reading.

 THURSDAY, AUGUST 16.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Distillation Bill; to be further considered in Committee.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 3 AUGUST, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Native Police:—Mr. Fitzgerald presented a Petition from certain Settlers of the Macintyre River, praying that the Council will supply the means to the Executive Government to increase the Native Police Force.
Petition received.
2. Gas Company's Bill:—Mr. Darvall, as Chairman, brought up the Report from the Select Committee to whose consideration this Bill was referred on the 29th June last.
3. Leave of absence for fourteen days granted to Mr. Murray on motion of Mr. Cowper.
4. Postponement:—Dr. Dickson postponed the motion standing in his name first on the Notice Paper for to-day, until this day fortnight.
5. Payment of Wages in Wine:—Mr. Hamilton moved, pursuant to notice, That a Select Committee be appointed to inquire into the operation of the Law which allows the payment of wages in wine or beer made from grapes or grain grown by the employer—the members of such Committee to be Mr. James Macarthur, Mr. Donaldson, Mr. Lowe, Mr. Nichols, Mr. Hamilton, Mr. Cowper, and The Colonial Treasurer.
Debate ensued.
Question put and passed.
6. Geneva and British Gin:—Mr. Lamb moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid on the Table of the House, a Return shewing the number of gallons of Geneva which have been entered for home consumption, and the amount of Duty received thereon, during the half-year ended June 30th 1849; also the number of gallons of British Gin entered, and the amount of Duty received thereon, during the same period.
Question put and passed; Address to be presented by the Speaker.
7. Medical Profession Bill:—Mr. Lowe presented a Petition from certain legally qualified Medical Practitioners residing in Sydney, praying that this Bill may not be passed into Law.
Petition received, and referred to the Select Committee on the Bill now sitting.
8. Education:—Mr. James Macarthur presented a Petition from certain Roman Catholic Inhabitants of Berrima and its vicinity, praying that the funds to be appropriated for Denominational Education may be distributed among the Denominations according to their respective numbers.
Petition received.
9. Infant Criminals' Education Bill:—Mr. Nichols moved, pursuant to notice, That he have leave to bring in a Bill for the Care and Education of Infants who may be convicted of Felony or Misdemeanor.
Question put and passed;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
10. Melbourne Building Bill:—Mr. Moor moved, pursuant to notice, That he have leave to bring in a Bill for regulating Buildings and Party Walls, and for preventing mischiefs by fire in the City of Melbourne.
Question put and passed;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
11. Aborigines and Protectorate Committee:—Mr. Foster moved, pursuant to notice, That the name of Mr. Moor be added to the Select Committee on Aborigines and Protectorate now sitting.
Question put and passed.
12. Catarrh in Sheep:—Mr. Donaldson moved, pursuant to (*amended*) notice, That a Select Committee, to consist of five Members besides the mover, be appointed to inquire into and report upon the present state of the Law relating to Catarrh in Sheep, to consist of Mr. Hamilton, Mr. Foster, Mr. Macintyre, Mr. James Macarthur, and Mr. Cowper.
Question put and passed.
13. Merchant Seamen's Bill:—On motion of Mr. Nichols the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Friday next.
14. Postponement:—On motion of Mr. Parker, on behalf of Mr. Darvall, the third reading of the Trust Money Bill postponed, until Friday next.
15. Presbyterian Marriage Bill:—On motion of Mr. Foster the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day week.
Council adjourned at Seven o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

TUESDAY, AUGUST 7.

NOTICES OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill for the more effectual Prevention of Frauds and Abuses committed by persons employed in the manufacture of various articles of trade.
2. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.
3. MR. OAKES to move, That the Petition of the Roman Catholic Inhabitants of Parramatta presented by him on the 1st instant be printed.
4. MR. LOWE to move, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House copies of the proceedings of the so called Consistorial Court, in the case of the Rev. Mr. Russell, and of all papers tending to throw light on the origin and jurisdiction of the said so called Court.
5. DR. DICKSON to move for leave to bring in a Bill for the purpose of establishing a Municipal Corporation in the town of Geelong.
6. MR. DONALDSON to move, That this Council having considered the subject of reform in the Colonial rates of Postage which is now before this House,—Resolves :—
(1.) That it is highly desirable, with a view to give effect to any measure which may tend to improve our means of postal communication generally, that an arrangement should be made with Her Majesty's Government at Home, by which all letters may, at the option of the parties corresponding, be pre-paid in full, either in England or in the Colony, for the whole distance from the post town in one country to the post town in the other.
(2.) That an Address be presented to Her Majesty the Queen, praying that such instructions be given to the proper authorities for giving effect to this arrangement as to Her Majesty may seem meet.
7. MR. FOSTER to move, That in the opinion of this Council, all Revenues raised in Port Phillip after the 1st January 1850, whether General or Territorial, should be expended for the benefit of that District, or be held to its credit until the Act of Parliament for the separation of the Colony takes effect.
8. MR. COWPER to move for leave to bring in a Bill to amend the Act 4 Victoria, No. 12, intituled, "*An Act to provide for the making and repairing of Parish Roads in the Colony of New South Wales.*"
9. MR. HAMILTON to move, That the Yass School Lands Bill be now read a second time.
10. MR. NICHOLS 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, copy of the Rules and Regulations for the guidance of the Superintendent and Visiting Justice of Cockatoo Island, and copies of any documents which will shew the system of classification of the Convicts on that Island.
11. MR. OAKES to move, That the Petition from certain Publicans at Parramatta, against the privilege of allowing wine growers to supply their servants with wine in payment of wages, be referred to the Committee appointed to enquire into the operation of the Law which sanctions that proceeding.

ORDER OF THE DAY :—

1. Public Hospitals Bill; third reading.

WEDNESDAY, AUGUST 8.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Standard Weights and Measures Bill; second reading.
2. British Gin Bill; second reading.
3. Supplementary Estimate and Estimates of Expenditure for 1849-50; to be further considered in Committee.
4. Marriage Registration Bill; second reading.
5. Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill; second reading.
6. Hawkers' and Pedlers' Bill; to be further considered in Committee.
7. Spirits' Duties Protection Bill; to be considered in Committee.

THURSDAY, AUGUST 9.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Publicans' Bill; to be further considered in Committee.
2. Postage Bill; second reading.

FRIDAY,

FRIDAY, AUGUST 10.

NOTICE OF MOTION :—

1. MR. DARVALL to move, That the Gas Company's Bill be now read a second time.

ORDERS OF THE DAY :—

1. Merchant Seamen's Bill; to be further considered in Committee.
2. Trust Money Bill; third reading.
3. Presbyterian Marriage Bill; to be further considered in Committee.

TUESDAY, AUGUST 14.

NOTICE OF MOTION :—

1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July 1848, Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites :—
 - (1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
 - (2nd.) A Government removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
 - (3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
 - (4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
 - (5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.

In consideration of the above concessions this Colony is willing to pay for such Military Force as in the judgment of the Colonial Assembly may be necessary for its protection in time of peace.

That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Montagu. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.

THURSDAY, AUGUST 16.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Distillation Bill; to be further considered in Committee.

FRIDAY, AUGUST 17.

NOTICE OF MOTION :—

1. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more "Circuit Districts" within the limits of the District of Port Phillip, and fixing the time for holding "Circuit Courts" therein at the towns of Geelong and Portland respectively.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 7 AUGUST, 1849.

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.) Colonial Agent Bill.
(2.) Melbourne City Bill.
(3.) Law of Evidence Bill.
2. Disputed Boundaries :—The following Message from His Excellency the Governor received and read :—
CH^S. A. FITZ ROY, *Message No. 41.*
Governor.
In reply to the Address of the Legislative Council of the 24th ultimo, praying that, for the reasons therein assigned, the Governor would issue a Supplementary Order, allowing a period of not less than three months from that date for the settlement by friendly arbitration of all disputes arising between the proprietors of Runs, His Excellency has the honor to inform the Council that having been advised by the Crown Law Officers that such Supplementary Order would be in contravention of the 4th Section of the Act 11 Victoria, No. 60, the notification referred to therein having already been published in the *Government Gazette*, His Excellency regrets that it is not in his power to comply with the prayer of the Address.
Government House, Sydney,
7th August, 1849.
Ordered to be printed.
3. Education :—Mr. Fitzgerald presented a Petition from certain Roman Catholic inhabitants of Windsor and its vicinity, praying that the funds to be appropriated for Denominational Education may be distributed among the denominations according to their respective numbers.
Petition received.
4. Fraud in Manufactures prevention Bill :—Mr. Nichols moved, pursuant to notice, That he have leave to bring in a Bill for the more effectual Prevention of Frauds and Abuses committed by persons employed in the manufacture of various articles of trade.
Question put and passed ;—*Ordered*, That the Mover and Secouder prepare and bring in the Bill.
5. Postponement :—Mr. Cowper postponed the motion standing in his name second on the Notice Paper for to-day, until this day week.
6. Motion withdrawn :—Mr. Oakes withdrew the motion standing in his name third on the Notice Paper for to-day.
7. Immigration, Port Phillip :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Foster, on the 27th ultimo.
Ordered to be printed.
8. Geneva and British Gin :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Lamb, on the 3rd instant.
Ordered to be printed.
9. Port of Newcastle :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Hamilton, on the 17th ultimo.
Ordered to be printed.
10. Consistorial Court :—Mr. Lowe moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House, copies of the proceedings of the so called Consistorial Court, in the case of the Rev. Mr. Russell, and of all papers tending to throw light on the origin and jurisdiction of the said so called Court.
Debate ensued.
Question put,

Council divided.

Ayes, 6.

Mr. Macintyre,
Mr. Wentworth,
Mr. Lowe,
Dr. Dickson,
Mr. Fitzgerald,
Mr. Cooper, (Teller.)

Noes, 17.

Mr. Foster,
The Colonial Secretary,
The Colonial Treasurer,
The Attorney General,
Mr. Suttor,
Mr. Oakes,
Mr. Allen,
Mr. Nichols,
Mr. J. Macarthur,
The Auditor General,
Mr. Moor,
Mr. W. Macarthur,
Mr. Cowper,
Mr. Bowman,
Mr. Darvall,
Mr. Hamilton,
Mr. Martin, (Teller.)

11. Geelong Incorporation Bill:—Dr. Dickson moved, pursuant to notice, That he have leave to bring in a Bill for the purpose of establishing a Municipal Corporation in the town of Geelong.
Debate ensued.
Question put and passed;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
12. Postponement:—Mr. Wentworth, on behalf of Mr. Donaldson, postponed the motion standing in the name of Mr. Donaldson sixth on the Notice Paper for to-day, until Friday next, adding notice of an additional Resolution.
13. Appropriation of Port Phillip Revenues:—Mr. Foster moved, pursuant to (*amended*) notice, That in the opinion of this Council, all Revenues raised in Port Phillip after the 1st January 1850, whether General or Territorial, should be expended for the benefit of that District.
Debate ensued.
Question put and passed.
14. Postponements:—
(1.) Mr. Cowper postponed the motion standing in his name eighth on the Notice Paper for to-day, until Friday next.
(2.) Mr. Hamilton postponed the motion standing in his name ninth on the Notice Paper for to-day, until Friday next.
15. Cockatoo Island:—Mr. Nichols 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, copy of the Rules and Regulations for the guidance of the Superintendent and Visiting Justice of Cockatoo Island, and copies of any documents which will shew the system of classification of the Convicts on that Island.
Question put and passed; Address to be presented by the Speaker.
16. Payment of Wages in Wine:—Mr. Oakes moved, pursuant to notice, That the Petition from certain Publicans at Parramatta, against the privilege of allowing wine growers to supply their servants with wine in payment of wages, be referred to the Committee appointed to enquire into the operation of the Law which sanctions that proceeding.
Question put and passed.
17. Public Hospitals' Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Foster, read a third time, and passed.
Mr. Foster then moved, That the following be the title of the Bill, viz., "*An Act to amend an Act, intituled, 'An Act to enable certain public Hospitals to sue and be sued in the name of their Treasurer, and to provide for the taking and holding of 'Real Property belonging to such Hospitals respectively.'*"
Question put and passed.
Council adjourned at a quarter before Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

WEDNESDAY, AUGUST 8.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Standard Weights and Measures Bill; second reading.
2. British Gin Bill; second reading.
3. Supplementary Estimate and Estimates of Expenditure for 1849-50; to be further considered in Committee.
4. Marriage Registration Bill; second reading.
5. Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill; second reading.
6. Hawkers' and Pedlers' Bill; to be further considered in Committee.
7. Spirits' Duties Protection Bill; to be considered in Committee.

OTHER

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. JAMES MACARTHUR to move, That John Fitzgerald Leslie Foster, Esquire, be appointed to act as Chairman of Committees, in the absence of Henry Watson Parker, Esquire, who is unable, for the present, to perform the duties of the office, in consequence of ill health.
2. MR. COWPER to move, (*on the Order of the Day for going into Committee on the Estimates being read*), That this Council declines to vote any sums for Public Works until an efficient Department is established for conducting them.

THURSDAY, AUGUST 9.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Publicans' Bill; to be further considered in Committee.
2. Postage Bill; second reading.

FRIDAY, AUGUST 10.

NOTICES OF MOTION :—

1. MR. DARVALL to move, That the Gas Company's Bill be now read a second time.
2. MR. MOOR 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 shewing the Annual Estimates of Expenditure for Port Phillip made by His Honor Mr. La Trobe, from and inclusive of the year 1843 down to and inclusive of the year 1850, together with a Return shewing which, if any, of the Items in such Annual Estimates were struck out by the Executive Government of the Colony.
3. DR. DICKSON to move, That the petitions presented to this House with reference to the Medical Profession Bill, be referred to the Select Committee now sitting thereon.
4. MR. DONALDSON to move, That this Council having considered the subject of reform in the Colonial rates of Postage which is now before this House,—Resolves :—
 - (1.) That it is highly desirable, with a view to give effect to any measure which may tend to improve our means of postal communication generally, that an arrangement should be made with Her Majesty's Government at Home, by which all letters may, at the option of the parties corresponding, be pre-paid in full, either in England or in the Colony, for the whole distance from the post town in one country to the post town in the other.
 - (2.) That an Address be presented to Her Majesty the Queen, praying that such instructions be given to the proper authorities for giving effect to this arrangement as to Her Majesty may seem meet.
 - (3.) That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to transmit to the Right Honorable the Secretary of State, the foregoing Address for presentation to Her Majesty.
5. MR. COWPER to move for leave to bring in a Bill to amend the Act 4 Victoria, No. 12, intituled, "*An Act to provide for the making and repairing of Parish Roads in the Colony of New South Wales.*"
6. MR. HAMILTON to move, That the Yass School Lands Bill be now read a second time.

ORDERS OF THE DAY :—

1. Merchant Seamen's Bill; to be further considered in Committee.
2. Trust Money Bill; third reading.
3. Presbyterian Marriage Bill; to be further considered in Committee.

TUESDAY, AUGUST 14.

NOTICES OF MOTION :—

1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July 1848, Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites :—
 - (1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
 - (2nd.) A Government removeable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
 - (3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
 - (4th.) The placing the sum of £81,000, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
 - (5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.

In consideration of the above concessions this Colony is willing to pay for such Military Force as in the judgment of the Colonial Assembly may be necessary for its protection in time of peace.

That

That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteaale. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.

2. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.

THURSDAY, AUGUST 16.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Distillation Bill; to be further considered in Committee.

FRIDAY, AUGUST 17.

NOTICE OF MOTION:—

1. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more "Circuit Districts" within the limits of the District of Port Phillip, and fixing the time for holding "Circuit Courts" therein at the towns of Geelong and Portland respectively.

CHARLES NICHOLSON,

Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 8 AUGUST, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Publicans' Bill :—Mr. Lowe presented a Petition from the Brickmakers' Friendly Society for the District of Sydney, praying that their Society may be added to the Societies excepted from the operation of the clauses of this Bill which prohibit the meeting of illegal Societies in public houses.
Petition received.
2. Distillation Bill :—Mr. Lowe presented a Petition from Henry Fisher, of the Glenmore Distillery, praying that provision be made in this Bill for the supervision and regulation of country distilleries.
Petition received.
3. Publicans' Bill :—Mr. Nichols presented a Petition from the Officers of the Maitland Union Benefit Society, on behalf of the same, praying that their Society may be added to the Societies excepted from the operation of the clauses of this Bill which prohibit the meeting of illegal Societies in public houses.
Petition received.
4. Medical Profession Bill :—Mr. Nichols presented a Petition from William Lipscomb and William Townley Pinhey, of West Maitland, Chymists and Druggists, praying that the Council will not undertake to regulate the business of Chymists and Druggists in the manner proposed by this Bill.
Petition received.
5. Police Magistrate, Wollombi :—Mr. Nichols presented a Petition from certain landed proprietors and other residents of the Police District of Wollombi, praying that the Council will not vote salary for a Police Magistrate for their District.
Petition received.
6. Education :—
 - (1.) Mr. Cowper presented a Petition from certain Roman Catholic inhabitants of Liverpool and its vicinity, praying that the funds to be appropriated for Denominational Education may be distributed among the Denominations according to their respective numbers.
Petition received.
 - (2.) Mr. Cowper presented a similar Petition from certain Roman Catholic Inhabitants of Campbell Town and its vicinity.
Petition received.
 - (3.) Mr. Fitzgerald presented a similar Petition from certain Roman Catholic Inhabitants of Penrith and its vicinity.
Petition received.
7. Infant Criminals' Education Bill, *presented* by Mr. Nichols.
8. Fraud in Manufactures prevention Bill, *presented* by Mr. Nichols.
9. Chairman of Committees : Mr. James Macarthur moved, pursuant to notice, That John Fitzgerald Leslie Foster Esquire be appointed to act as Chairman of Committees in the absence of Henry Watson Parker Esquire, who is unable for the present to perform the duties of the office in consequence of ill health.
Debate ensued.
Mr. Wentworth moved, as an amendment, That the words " John Fitzgerald Leslie Foster Esquire" be omitted, with a view to the insertion in their place of the words " George Allen Esquire."
Debate continued.
Proposed amendment by leave withdrawn.
Original question put.

Council divided.

Ayes, 15.

Mr. J. Macarthur,
The Major General Commanding,
The Collector of Customs,
Mr. Hamilton,
Mr. Allen,
Mr. Berry,
The Colonial Secretary,
The Attorney General,
The Auditor General,
Mr. Lamb,
Mr. Cowper,
Mr. W. Macarthur,
Mr. Suttor,
Mr. Bowman,
The Colonial Treasurer, (Teller.)

Noes, 11.

Mr. Fitzgerald,
Dr. Dickson,
Mr. Cooper,
Mr. Macintyre,
Mr. Oakes,
Mr. Nichols,
Mr. Dangat,
Mr. Donaldson,
Mr. Wentworth,
Mr. Lowe,
Mr. Martin, (Teller.)

- Mr. Foster made his acknowledgments to the Council.
10. Standard Weights and Measures Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and 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.
 11. Postponement :—On motion of the Colonial Secretary, the second reading of the British Gin Bill postponed, until to-morrow.
 12. Public Works Department :—The Order of the Day for the further consideration in Committee of the Supplementary Estimate and Estimates of Expenditure for 1849-50, being read,—
Mr. Cowper moved, pursuant to notice, That this Council declines to vote any sums for Public Works, until an efficient Department is established for conducting them.
Debate ensued.
Motion by leave withdrawn.
 13. Finance 1849-50 :—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for 1849-50.
The Chairman reported progress, and obtained leave to sit again to-morrow.
 14. Marriage Registration Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill without amendment, the Council adopted the same.
 15. Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
 16. Postponements :—
(1.) On motion of the Colonial Secretary the further consideration in Committee of the Hawkers' and Pedlers' Bill postponed, until to-morrow.
(2.) On motion of the Colonial Secretary the consideration in Committee of the Spirits' Duties Protection Bill postponed, until to-morrow-week.
Council adjourned at Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

THURSDAY, AUGUST 9.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Publicans' Bill ; to be further considered in Committee.
 2. Postage Bill ; second reading.
 3. British Gin Bill ; second reading.
 4. Supplementary Estimate and Estimates of Expenditure for 1849-50 ; to be further considered in Committee.
 5. Hawkers' and Pedlers' Bill ; to be further considered in Committee.
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FRIDAY,

FRIDAY, AUGUST 10.

NOTICES OF MOTION :—

1. MR. DARVALL to move, That the Gas Company's Bill be now read a second time.
2. MR. MOOR 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 shewing the Annual Estimates of Expenditure for Port Phillip made by His Honor Mr. La Trobe, from and inclusive of the year 1848 down to and inclusive of the year 1850, together with a Return shewing which, if any, of the Items in such Annual Estimates were struck out by the Executive Government of the Colony.
3. DR. DICKSON to move, That the petitions presented to this House with reference to the Medical Profession Bill, be referred to the Select Committee now sitting thereon.
4. MR. DONALDSON to move, That this Council having considered the subject of reform in the Colonial rates of Postage which is now before this House,—Resolves :—
 - (1.) That it is highly desirable, with a view to give effect to any measure which may tend to improve our means of postal communication generally, that an arrangement should be made with Her Majesty's Government at Home, by which all letters may, at the option of the parties corresponding, be pre-paid in full, either in England or in the Colony, for the whole distance from the post town in one country to the post town in the other.
 - (2.) That an Address be presented to Her Majesty the Queen, praying that such instructions be given to the proper authorities for giving effect to this arrangement as to Her Majesty may seem meet.
 - (3.) That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to transmit to the Right Honorable the Secretary of State the foregoing Address for presentation to Her Majesty.
5. MR. COWPER to move for leave to bring in a Bill to amend the Act 4 Victoria, No. 12, intituled, "*An Act to provide for the making and repairing of Parish Roads in the Colony of New South Wales.*"
6. MR. HAMILTON to move, That the Yass School Lands Bill be now read a second time.

ORDERS OF THE DAY :—

1. Merchant Seamen's Bill; to be further considered in Committee.
2. Trust Money Bill; third reading.
3. Presbyterian Marriage Bill; to be further considered in Committee.

TUESDAY, AUGUST 14.

NOTICES OF MOTION :—

1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July 1848, Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites :—
 - (1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
 - (2nd.) A Government removeable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
 - (3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
 - (4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
 - (5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.

In consideration of the above concessions this Colony is willing to pay for such Military Force as in the judgment of the Colonial Assembly may be necessary for its protection in time of peace.

That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteagle. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.
2. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.

WEDNESDAY, AUGUST 15.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Standard Weights and Measures Bill; to be further considered in Committee.
2. Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill; third reading.

THURSDAY,

THURSDAY, AUGUST 16.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Distillation Bill; to be further considered in Committee.
 2. Spirits' Duties Protection Bill; to be considered in Committee.
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FRIDAY, AUGUST 17.

NOTICE OF MOTION :—

1. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more "Circuit Districts" within the limits of the District of Port Phillip, and fixing the time for holding "Circuit Courts" therein at the towns of Geelong and Portland respectively.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 9 AUGUST, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Publicans' Bill:—Mr. Nichols presented a Petition from the Officers of the United Friends' Society, on behalf of the same, praying that their Society may be added to the Societies excepted from the operation of the clauses of this Bill which prohibit the meeting of illegal Societies in public houses.
Petition received.
2. Postponement:—On motion of the Attorney General the further consideration in Committee of the Publicans' Bill postponed, until Wednesday next.
3. Postage Bill:—The Colonial Secretary moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed; Bill read a second time.
The Colonial Secretary then moved, That this Bill be referred to a Select Committee, to consist, with the mover, of the following Members:—The Auditor General, Mr. Donaldson, Mr. Lamb, Mr. Moor, Mr. Cowper, Mr. Hamilton, Mr. William Macarthur, and Mr. Cooper, with instructions to report upon its several provisions.
Debate ensued.
Question put and passed.
4. Regulations affecting Steam Vessels:—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Nichols, on the 31st ultimo.
5. British Gin Bill:—The Colonial Secretary moved, That this Bill be "now" read a second time.
Debate ensued.
Mr. Lamb moved, as an amendment, That the word "now" be omitted with a view to the insertion in its place of the words "this day six months."
Debate continued.
Proposed amendment by leave withdrawn.
Original question put.
Council divided.

Ayes, 6.
The Major General Commanding,
The Colonial Secretary,
The Auditor General,
The Collector of Customs,
The Attorney General,
The Colonial Treasurer, (Teller.)

Noes, 23.
Mr. Lowe,
Mr. Hamilton,
Mr. Martin,
Mr. Wentworth,
Mr. Cooper,
Mr. Foster,
Mr. Moor,
Mr. Macintyre,
Mr. Nichols,
Mr. Donaldson,
Mr. Berry,
Mr. Darvall,
Mr. Fitzgerald,
Dr. Dickson,
Mr. Allen,
Mr. Dangar,
Mr. Oakes,
Mr. J. Macarthur
Mr. W. Macarthur,
Mr. Lamb,
Mr. Bowman
Mr. Suttar,
Mr. Cowper, (Teller.)

6. Finance 1849-1850:—On motion of the Colonial Treasurer the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for 1849-50.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
7. Postponement:—On motion of the Colonial Secretary the further consideration in Committee of the Hawkers' and Pedlers' Bill postponed, until Wednesday next.
Council adjourned at a quarter after Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

FRIDAY, AUGUST 10.

NOTICES OF MOTION :—

1. MR. DARVALL to move, That the Gas Company's Bill be now read a second time.
2. MR. MOOR 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 shewing the Annual Estimates of Expenditure for Port Phillip made by His Honor Mr. La Trobe, from and inclusive of the year 1848 down to and inclusive of the year 1850, together with a Return shewing which, if any, of the Items in such Annual Estimates were struck out by the Executive Government of the Colony.
3. DR. DICKSON to move, That the petitions presented to this House with reference to the Medical Profession Bill, be referred to the Select Committee now sitting thereon.
4. MR. DONALDSON to move, That this Council having considered the subject of reform in the Colonial rates of Postage which is now before this House,—Resolves :—
 - (1.) That it is highly desirable, with a view to give effect to any measure which may tend to improve our means of postal communication generally, that an arrangement should be made with Her Majesty's Government at Home, by which all letters may, at the option of the parties corresponding, be pre-paid in full, either in England or in the Colony, for the whole distance from the post town in one country to the post town in the other.
 - (2.) That an Address be presented to Her Majesty the Queen, praying that such instructions be given to the proper authorities for giving effect to this arrangement as to Her Majesty may seem meet.
 - (3.) That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to transmit to the Right Honorable the Secretary of State the foregoing Address for presentation to Her Majesty.
5. MR. COWPER to move for leave to bring in a Bill to amend the Act 4 Victoria, No. 12, intituled, "*An Act to provide for the making and repairing of Parish Roads in the Colony of New South Wales.*"
6. MR. HAMILTON to move, That the Yass School Lands Bill be now read a second time

ORDERS OF THE DAY :—

1. Merchant Seamen's Bill; to be further considered in Committee.
2. Trust Money Bill; third reading.
3. Presbyterian Marriage Bill; to be further considered in Committee.

TUESDAY, AUGUST 14.

NOTICES OF MOTION :—

1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July 1848, Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites :—
 - (1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
 - (2nd.) A Government removeable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
 - (3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
 - (4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
 - (5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.

In consideration of the above concessions this Colony is willing to pay for such Military Force as in the judgment of the Colonial Assembly may be necessary for its protection in time of peace.

That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteagle. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.
2. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.

WEDNESDAY,

WEDNESDAY, AUGUST 15.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Standard Weights and Measures Bill; to be further considered in Committee.
2. Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill; third reading.
3. Publicans' Bill; to be further considered in Committee.
4. Supplementary Estimate and Estimates of Expenditure for 1849-50; to be further considered in Committee.
5. Hawkers' and Pedlers' Bill; to be further considered in Committee.

THURSDAY, AUGUST 16.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Distillation Bill; to be further considered in Committee.
2. Spirits' Duties Protection Bill; to be considered in Committee.

FRIDAY, AUGUST 17.

NOTICE OF MOTION :—

1. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more " Circuit Districts " within the limits of the District of Port Phillip, and fixing the time for holding " Circuit Courts " therein at the towns of Geelong and Portland respectively.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 10 AUGUST, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Education :—Mr. Foster, on behalf of the Speaker, presented a Petition from certain Roman Catholic Inhabitants of Goulburn and its vicinity, praying that the funds to be appropriated for Denominational Education, may be distributed among the Denominations according to their respective numbers.
Petition received.
2. Postponement :—Mr. Foster, on behalf of Mr. Darvall, postponed the motion standing in the name of Mr. Darvall first on the Notice Paper for to-day, until Tuesday next.
3. Melbourne Building Bill :—Mr. Moor having presented this Bill, intitled, "*A Bill for regulating Buildings and Party Walls, and for preventing mischiefs by fire in the City of Melbourne,*" read a first time ; ordered to be printed, and read a second time this day week.
4. Estimated and Authorised Expenditure for Port Phillip :—Mr. Moor 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 shewing the Annual Estimates of Expenditure for Port Phillip made by His Honor Mr. La Trobe, from and inclusive of the year 1843 down to and inclusive of the year 1850, together with a Return shewing which, if any, of the Items in such Annual Estimates were struck out by the Executive Government of the Colony.
Question put and passed ; Address to be presented by the Speaker.
5. Presbyterian Marriage Bill :—Mr. Wentworth presented a Petition from the Minister, Officers, and other Members of an organized Church and Congregation, assembling regularly for worship, according to the customs and modes in use among Presbyterian Churches, in Macquarie-street, Sydney, praying that the Council will not pass this Bill into law ; but that some general system of Registration of Marriages for all parties, resting solely upon a civil basis, may be adopted at the earliest possible date.
Petition received.
6. Lunatic Asylum, Tarban Creek :—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Martin, on the 24th ultimo.
7. Cockatoo Island :—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Nichols, on the 7th instant.
8. Infant Criminals' Education Bill :—On motion of Mr. Nichols, this Bill, intitled, "*A Bill to provide for the Care and Education of Infants who may be convicted of Felony or Misdemeanor,*" read a first time ; ordered to be printed, and read a second time on Tuesday next.
9. Fraud in Manufactures prevention Bill :—On motion of Mr. Nichols, this Bill, intitled, "*A Bill for the more effectual prevention of Frauds and Abuses committed by persons employed in the manufacture of various articles of trade,*" read a first time ; ordered to be printed, and read a second time on Tuesday next.
10. Medical Profession Bill :—Dr. Dickson moved, pursuant to notice, That the Petitions presented to this House with reference to the Medical Profession Bill, be referred to the Select Committee now sitting thereon.
Question put and passed.
11. Pre-payment of Ship Letters :—Mr. Donaldson moved, pursuant to notice, That this Council having considered the subject of reform in the Colonial rates of Postage which is now before this House,—Resolves :—
 - (1.) That it is highly desirable, with a view to give effect to any measure which may tend to improve our means of postal communication generally, that an arrangement should be made with Her Majesty's Government at Home, by which all letters may, at the option of the parties corresponding, be pre-paid in full, either in England or in the Colony, for the whole distance from the post town in one country to the post town in the other.
 - (2.) That an Address be presented to Her Majesty the Queen, praying that such instructions be given to the proper authorities for giving effect to this arrangement as to Her Majesty may seem meet.
 - (3.) That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to transmit to the Right Honorable the Secretary of State the foregoing Address for presentation to Her Majesty.Question put and passed ; Addresses to be presented to His Excellency the Governor by the Speaker.

12. **Postponement** :—Mr. Lamb, on behalf of Mr. Cowper, postponed the motion standing in the name of Mr. Cowper fifth on the Notice Paper for to-day, until this day week.
13. **Yass School Lands Bill** :—Mr. Hamilton moved, pursuant to notice, That this Bill be now read a second time.
Question put and passed ; Bill read a second time ;—
Whereupon, on motion of Mr. Hamilton the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be read a third time on Tuesday next.
14. **Presbyterian Marriage Bill** :—Mr. Donaldson, on behalf of Mr. Lowe, presented a Petition from the officiating Minister, Elders, Members, and Adherents of the Scots' Church, Church Hill, Sydney, praying that the Council will not pass this Bill ; but that an Act may be passed to provide for the Registration of Marriages which shall be applicable to all religious bodies.
Petition received.
15. **Merchant Seamen's Bill** :—On motion of Mr. Nichols the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Friday next.
16. **Postponement** :—On motion of Mr. Foster, on behalf of Mr. Darvall, the third reading of the Trust Money Bill postponed, until Tuesday next.
17. **Presbyterian Marriage Bill** :—On the Order of the Day for the further consideration of this Bill in Committee being read,—The Attorney General, on behalf of Mr. Foster, moved, That this Bill be further considered in Committee this day "*fortnight*."
Debate ensued.
Mr. Donaldson moved as an amendment, That the word "*fortnight*" be omitted, with a view to the insertion in its place of the words "six months."
Debate continued.
Question,—That the word proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the word omitted be so inserted,—put and passed.
Question,—That this Bill be further considered in Committee this day six months,—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, AUGUST 14.

NOTICES OF MOTION :—

1. **MR. LOWE** to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July 1848, Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites :—
(1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
(2nd.) A Government removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
(3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
(4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
(5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.
In consideration of the above concessions this Colony is willing to pay for such Military Force as in the judgment of the Colonial Assembly may be necessary for its protection in time of peace.
That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament ; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteagle. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.
2. **MR. COWPER** to move, That the Sydney Railway Bill be now read a second time.
3. **MR. DARVALL** to move, That the Gas Company's Bill be now read a second time.

ORDERS OF THE DAY :—

1. Infant Criminals Education Bill ; second reading.
2. Fraud in Manufactures Prevention Bill ; second reading.
3. Yass School Lands Bill ; third reading.
4. Trust Money Bill ; third reading.

WEDNESDAY,

WEDNESDAY, AUGUST 15.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Standard Weights and Measures Bill ; to be further considered in Committee.
2. Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill ; third reading.
3. Publicans' Bill ; to be further considered in Committee.
4. Supplementary Estimate and Estimates of Expenditure for 1849-50 ; to be further considered in Committee.
5. Hawkers' and Pedlers' Bill ; to be further considered in Committee.

THURSDAY, AUGUST 16.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Distillation Bill ; to be further considered in Committee.
2. Spirits' Duties Protection Bill ; to be considered in Committee.

FRIDAY, AUGUST 17.

NOTICES OF MOTION :—

1. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more " Circuit Districts " within the limits of the District of Port Phillip, and fixing the time for holding " Circuit Courts " therein at the towns of Geelong and Portland respectively.
2. MR. COWPER to move for leave to bring in a Bill to amend the Act 4 Victoria, No. 12, intituled, "*An Act to provide for the making and repairing of Parish Roads in the Colony of New South Wales.*"

ORDERS OF THE DAY :—

1. Melbourne Building Bill ; second reading.
2. Merchant Seamen's Bill ; to be further considered in Committee.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 14 AUGUST, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Postponements :—
(1.) Mr. Lowe postponed the motion standing in his name first on the Notice Paper for to-day, until this day week.
(2.) The Attorney General, on behalf of Mr. Cowper, postponed the motion standing in Mr. Cowper's name second on the Notice Paper for to-day, until Friday next.
2. Gas Company's Bill :—Mr. Darvall moved, pursuant to notice, That this Bill be now read a second time.
Question put and passed ; Bill read a second time ;—
Whereupon, on motion of Mr. Darvall, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be read a third time on Friday next.
3. Geelong Incorporation Bill :—Dr. Dickson having presented this Bill, Bill, intituled, "*A Bill to Incorporate the Inhabitants of the Town of Geelong, and to extend and apply thereto the Laws now in force for the regulation of the Corporation of Melbourne,*" read a first time ; ordered to be printed, and read a second time this day fortnight.
4. Infant Criminals' Education Bill :—Mr. Nichols moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed ; Bill read a second time ;—
Whereupon, on motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman reported progress, and obtained leave to sit again on Friday next.
5. Fraud in Manufactures Prevention Bill, having been read a second time, on motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Friday next.
8. Yass School Lands Bill, on motion of Mr. W. Macarthur, read a third time, and passed.
Mr. W. Macarthur then moved, That the following be the Title of the Bill, viz. :—
"*An Act to enable the Trustees of the site of the intended School House at Yass, in connection with the United Church of England and Ireland, to sell and dispose of the same for the purpose of purchasing other land in a more suitable situation to erect a School House thereon.*"
Question put and passed.
9. Trust Money Bill, on motion of Mr. Darvall, read a third time, and passed.
Mr. Darvall then moved, That the following be the Title of the Bill, viz. :—"*An Act to authorise the Investment of Trust Money.*"
Question put and passed.
Council adjourned at half-past Five o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

WEDNESDAY, AUGUST 15.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Standard Weights and Measures Bill; to be further considered in Committee.
2. Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill; third reading.
3. Publicans' Bill; to be further considered in Committee.
4. Supplementary Estimate and Estimates of Expenditure for 1849-50; to be further considered in Committee.
5. Hawkers' and Pedlers' Bill; to be further considered in Committee.

THURSDAY, AUGUST 16.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Distillation Bill; to be further considered in Committee.
2. Spirits' Duties Protection Bill; to be considered in Committee.

FRIDAY, AUGUST 17.

NOTICES OF MOTION :—

1. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more "Circuit Districts" within the limits of the District of Port Phillip, and fixing the time for holding "Circuit Courts" therein at the towns of Geelong and Portland respectively.
2. MR. COWPER to move for leave to bring in a Bill to amend the Act 4 Victoria, No. 12, intituled, "*An Act to provide for the making and repairing of Parish Roads in the Colony of New South Wales.*"
3. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.

ORDERS OF THE DAY :—

1. Melbourne Building Bill; second reading.
2. Merchant Seamen's Bill; to be further considered in Committee.
3. Gas Company's Bill; third reading.
4. Infant Criminal's Education Bill; to be further considered in Committee.
5. Fraud in Manufactures Prevention Bill; third reading.

TUESDAY, AUGUST 21.

NOTICE OF MOTION :—

1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July, 1848 Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites :—
 - (1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
 - (2nd.) A Government (*with the exception of a Governor to be paid from the Imperial Treasury,*) removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
 - (3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
 - (4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
 - (5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.

In consideration of the above concessions this Colony is willing to pay for such Military Force as may be necessary for its protection in time of peace, *and to grant a reasonable Civil List during the life of Her Majesty.*

That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteagle. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.

TUESDAY, AUGUST 28.

ORDER OF THE DAY :—

1. Geelong Incorporation Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 15 AUGUST, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Education :—
 - (1.) Mr. Dangar presented a Petition from certain Roman Catholic Inhabitants of Singleton and its vicinity, praying that the funds to be appropriated for Denominational Education may be distributed among the Denominations according to their respective numbers.
Petition received.
 - (2.) Colonel Snodgrass presented a similar Petition from certain Roman Catholic Inhabitants of Moreton Bay and its vicinity.
Petition received.
2. Statistics :—The Colonial Secretary laid upon the Table the following additional Statistical Returns :—
 - (1.) Return of the number of Births Registered in the Colony of New South Wales, (including the District of Port Phillip) from the year 1839 to 1848 inclusive.
 - (2.) Return of the number of Marriages Registered in the Colony of New South Wales, (including the District of Port Phillip) from the year 1839 to 1848 inclusive.
 - (3.) Return of the number of Deaths Registered in the Colony of New South Wales, (including the District of Port Phillip) from the year 1839 to 1848 inclusive.
 - (4.) Return of the number of Schools, and Scholars attending the same, in the Colony of New South Wales, (including the District of Port Phillip) from the year 1840 to 1848 inclusive.
 - (5.) Return of the number of Schools, &c., for the year 1848.
 - (6.) Return of the number of Patients in the Lunatic Asylum, Tarban Creek, Sydney, during the year 1848.
 - (7.) Return of the number of Patients in the Convict Lunatic and Invalid Establishment, Parramatta, during the year 1848.
 - (8.) Return of the number of Patients in the Lunatic Asylum, Melbourne, Port Phillip, during the year 1848.
 - (9.) Return of the number of Manufactories, &c., in the Colony of New South Wales, (including the District of Port Phillip), from the year 1839 to 1848 inclusive.
 - (10.) Return of the number of Mills for Grinding and Dressing Grain in the Colony of New South Wales, (including the District of Port Phillip), from 1839 to 1848 inclusive.
 - (11.) Return of the number of Convictions in the Supreme Court, and Courts of Quarter Sessions of New South Wales, (including the District of Port Phillip), from the year 1839 to 1848 inclusive.
 - (12.) Return of the number of Criminals Executed in the Colony of New South Wales, (including the District of Port Phillip), from the year 1839 to 1848 inclusive.
 - (13.) Return of the number of Civil Cases Tried in the Supreme Court of New South Wales, (including the District of Port Phillip), from the year 1839 to 1848 inclusive.
 - (14.) Return shewing the number of Immigrants who arrived in the Colony of New South Wales, from the 1st January, 1832, to the 31st December, 1848 inclusive.
 - (15.) Return shewing the Total Amount of Money paid out of the Land Fund of New South Wales, on account of Immigration, from 1st January, 1832, to 31st December, 1848, inclusive.
Ordered to be printed.
3. Standard Weights and Measures Bill :—On motion of the Colonial Secretary the Speaker left the Chair, and 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, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
4. Section 70 of Sydney and Melbourne Incorporation Acts Suspension Bill, on motion of the Colonial Secretary, read a third time, and passed.
The Colonial Secretary then moved, That the following be the title of the Bill, viz.—“ *An Act to suspend for one year so much of the Acts to Incorporate the Cities of Sydney and Melbourne respectively as relates to the estimating and levying a rate for the Police of the same.*”
Question put and passed.

5. **Publicans' Bill**:—On motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again to-morrow.
6. **Finance, 1849-50**:—On motion of the Colonial Treasurer the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1849-50.
The Chairman reported progress, and moved for leave to sit again to-morrow.
Debate ensued.
Question put and passed.
7. **Postponement**:—On motion of the Colonial Secretary the further consideration in Committee of the Hawkers' and Pedlers' Bill postponed, until to-morrow.
Council adjourned at a quarter after Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

THURSDAY, AUGUST 16.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. **Distillation Bill**; to be further considered in Committee.
2. **Spirits' Duties Protection Bill**; to be considered in Committee.
3. **Publicans' Bill**; to be further considered in Committee.
4. **Supplementary Estimate and Estimates of Expenditure for 1849-50**; to be further considered in Committee.
5. **Hawkers' and Pedlers' Bill**; to be further considered in Committee.

FRIDAY, AUGUST 17.

NOTICES OF MOTION:—

1. **DR. DICKSON** to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more "Circuit Districts" within the limits of the District of Port Phillip, and fixing the time for holding "Circuit Courts" therein at the towns of Geelong and Portland respectively.
2. **MR. COWPER** to move for leave to bring in a Bill to amend the Act 4 Victoria, No. 12, intituled, "*An Act to provide for the making and repairing of Parish Roads in the Colony of New South Wales.*"
3. **MR. COWPER** to move, That the Sydney Railway Bill be now read a second time.
4. **MR. WENTWORTH** to move, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House a Return from the 1st of January to the 1st of July of the present year, shewing the monthly average attendances of children at each of the Denominational Schools which receive Government aid from the Denominational Board.

ORDERS OF THE DAY:—

1. **Melbourne Building Bill**; second reading.
2. **Merchant Seamen's Bill**; to be further considered in Committee.
3. **Gas Company's Bill**; third reading.
4. **Infant Criminal's Education Bill**; to be further considered in Committee.
5. **Fraud in Manufactures Prevention Bill**; third reading.

TUESDAY, AUGUST 21.

NOTICES OF MOTION:—

1. **MR. LOWE** to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July, 1848 Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites:—
(1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
(2nd.) A Government (*with the exception of a Governor to be paid from the Imperial Treasury,*) removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
(3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
(4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
(5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.

In consideration of the above concessions this Colony is willing to pay for such Military Force as may be necessary for its protection in time of peace, and to grant a reasonable Civil List during the life of Her Majesty.

That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteagle. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.

2. MR. BOWMAN to move, That an Address be presented to His Excellency the Governor, praying that the sum of £1,000 may be placed on the Estimates for 1850, for the purpose of commencing the construction of a new Bridge over the South Creek at Windsor.

WEDNESDAY, AUGUST 22.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Standard Weights and Measures Bill; third reading.

TUESDAY, AUGUST 28.

ORDER OF THE DAY:—

1. Geelong Incorporation Bill; second reading.

CHARLES NICHOLSON,

Speaker.

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VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 16 AUGUST, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Hartley Police:—Mr. Martin presented a Petition from certain Magistrates, Clergymen, Landholders, and Inhabitants of the Police District of Hartley, praying that whatever other reduction may be made by the Council in the Police Establishment of their District, the Salary for a Police Magistrate may be allowed.
Petition received.
2. Publicans' Bill :—Mr. Lowe presented a Petition from certain Members of the Loyal Orange Institution of New South Wales, praying that their Society may be added to the Societies excepted from the operation of the Clauses of this Bill which prohibit the meeting of illegal societies in public houses.
Petition received.
3. Geelong :—Mr. Moor presented a Petition from certain Inhabitants of Geelong, praying that the Council will appropriate such sum as they may deem sufficient towards the making and repairing the streets and public thoroughfares in the Town of Geelong and its neighbourhood.
Petition received.
4. Postponements :—
(1.) On motion of the Colonial Treasurer, on behalf of the Colonial Secretary, the further consideration in Committee of the Distillation Bill postponed, until Wednesday next.
(2.) On motion of the Colonial Treasurer, on behalf of the Colonial Secretary, the consideration in Committee of the Spirits' Duties protection Bill postponed, until Wednesday next.
5. Publicans' Bill :—On motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
6. Postponements :—
(1.) The Colonial Treasurer moved that the further consideration in Committee of the Supplementary Estimate and Estimates of Expenditure for 1849-50 be postponed, until to-morrow.
Debate ensued.
Question put and passed.
(2.) On motion of the Colonial Treasurer, on behalf of the Colonial Secretary, the further consideration in Committee of the Hawkers' and Pedlers' Bill postponed, until Wednesday next.
Council adjourned at a quarter after Six o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

FRIDAY, AUGUST 17.

- NOTICES OF MOTION :—
1. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more " Circuit Districts " within the limits of the District of Port Phillip, and fixing the time for holding " Circuit Courts " therein at the towns of Geelong and Portland respectively.
 2. MR. COWPER to move for leave to bring in a Bill to amend the Act 4 Victoria, No. 12, intituled, " An Act to provide for the making and repairing of Parish Roads in the Colony of New South Wales."
 3. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.

4. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House a Return from the 1st of January to the 1st of July of the present year, shewing the monthly average attendance of children at each of the Denominational Schools which receive Government aid from the Denominational Board.

ORDERS OF THE DAY :—

1. Melbourne Building Bill; second reading.
2. Merchant Seamen's Bill; to be further considered in Committee.
3. Gas Company's Bill; third reading.
4. Infant Criminal's Education Bill; to be further considered in Committee.
5. Fraud in Manufactures Prevention Bill; third reading.
6. Supplementary Estimate and Estimates of Expenditure for 1849-50; to be further considered in Committee.

TUESDAY, AUGUST 21.

NOTICES OF MOTION :—

1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July, 1848 Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites :—
- (1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
- (2nd.) A Government (*with the exception of a Governor to be paid from the Imperial Treasury,*) removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
- (3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
- (4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
- (5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.
- In consideration of the above concessions this Colony is willing to pay for such Military Force as may be necessary for its protection in time of peace, and to grant a reasonable Civil List during the life of Her Majesty.
- That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteagle. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.
2. MR. BOWMAN to move, That an Address be presented to His Excellency the Governor, praying that the sum of £1,000 may be placed on the Estimates for 1850, for the purpose of commencing the construction of a new Bridge over the South Creek at Windsor.

WEDNESDAY, AUGUST 22.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Standard Weights and Measures Bill; third reading.
2. Distillation Bill; to be further considered in Committee.
3. Spirits' Duties Protection Bill; to be considered in Committee.
4. Publicans' Bill; to be further considered in Committee.
5. Hawkers' and Pedlers' Bill; to be further considered in Committee.

FRIDAY, AUGUST 24.

NOTICES OF MOTION :—

1. MR. DANGAR to move, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to place on the Supplementary Estimate for the year 1849, a sum not exceeding five hundred pounds, for the purpose of opening and improving the direct road from Sydney to Wollombi *via* Peat's Ferry, such road leading on a direct route from Sydney to the north and north-west interior.
2. MR. LOWE to move, That this Council having taken into consideration the Report of the Select Committee appointed to report on the working of the Corporation of the City of Sydney, Resolves,—
 - (1.) That the Acts Incorporating the City of Sydney ought to be repealed.
 - (2.) That an Act ought to be passed appointing three Commissioners—at £600 per annum for the senior Commissioner, and £300 for the junior Commissioners,—in whom shall be vested the powers of lighting, paving, draining, and supplying with water the City of Sydney.
 - (3.) That the Local Revenues now vested in the Corporation be vested in these Commissioners.

- (4.) That a uniform Rate for the purposes before mentioned be imposed by an Act of Council.
- (5.) That the Accounts of the Commissioners be published quarterly—that their Minutes of proceedings and Account books be open to inspection by any Magistrate or Member of the Executive or Legislative Council—and that their proceedings be annually investigated by a Committee of the Legislative Council.
- (6.) That the present system of collecting Rates be discontinued—that all Rate payers be required to pay them into the Bank to the credit of the Commissioners upon notice, and that in default of such payment Distress Warrants shall issue.

TUESDAY, AUGUST 28.

ORDER OF THE DAY :—

- 1. Geelong Incorporation Bill; second reading.

CHARLES NICHOLSON,
Speaker.

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VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 17 AUGUST, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Newcastle Breakwater :—Mr. Hamilton, as Chairman, brought up the Report from and laid upon the Table the Evidence taken before the Select Committee appointed on the 3rd ultimo to inquire into the state of the Breakwater at Newcastle.
Ordered to be printed.
2. Railways :—Mr. Foster, on behalf of the Chairman, Mr. Lamb, brought up the Report from the Select Committee on the Sydney Railway Bill, re-appointed on the 18th July last, with a view to refer for their consideration and report the Despatch from the Right Honorable Earl Grey, dated the 8th February 1849, respecting the introduction of Railways into this Colony, which accompanied the Message from His Excellency the Governor, No. 34, received by the Council on the 12th of the same month.
Ordered to be printed.
3. City Corporation :—Mr. Wentworth presented a Petition from the Mayor Aldermen and Councillors of the City of Sydney, praying that the Council will suspend any proceedings with respect to the Report of their Select Committee on the City Corporation, for such reasonable time as will enable Petitioners to take such steps as may seem to them meet for the maintenance of their own dignity and the welfare of the City.
Mr. Wentworth then moved, That the petition be received.
Debate ensued.
Question put.
Council divided.

<p>Ayes, 11.</p> <p>Mr. Nichols, The Colonial Treasurer, Mr. Hamilton, Colonel Snodgrass, Mr. Wentworth, Mr. Suttor, Dr. Dickson, The Collector of Customs, Mr. Allen, Mr. Icely, Mr. Martin, (Teller.)</p>	<p>Noes, 8.</p> <p>The Colonial Secretary, The Attorney General, The Major General Commanding, Mr. Moor, Mr. Donaldson, Mr. Macintyre, Mr. Cooper, Mr. Foster, (Teller.)</p>
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4. Pawnbrokers' Bill :—Mr. Nichols having presented this Bill, Bill, intituled, "*A Bill for regulating the trade or business of Pawnbrokers in New South Wales,*" read a first time ; ordered to be printed, and read a second time this day fortnight.
5. Circuit Courts, Port Phillip :—Dr. Dickson moved, pursuant to notice, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to take the necessary steps for proclaiming one or more "Circuit Districts" within the limits of the District of Port Phillip, and fixing the time for holding "Circuit Courts" therein at the towns of Geelong and Portland respectively.
Debate ensued.
Motion by leave withdrawn.
6. Postponements :—
 - (1.) Mr. Foster, on behalf of Mr. Cowper, postponed the motions standing in the name of Mr. Cowper second and third on the Notice Paper for to-day, until Tuesday next.
 - (2.) Mr. Martin, on behalf of Mr. Wentworth, postponed the motion standing in the name of Mr. Wentworth fourth on the Notice Paper for to-day, until Tuesday next.
 - (3.) On motion of Mr. Moor the second reading of the Melbourne Building Bill postponed, until this day week.
 - (4.) On motion of the Attorney General the further consideration in Committee of the Merchant Seamen's Bill postponed, until Tuesday next.
7. Gas Company's Bill, on motion of Mr. Foster, on behalf of Mr. Darvall, read a third time, and passed.

Mr.

Mr. Foster then moved that the following be the title of the Bill, viz., "*An Act further to amend an Act, intituled, 'An Act for lighting with Gas the Town of Sydney, in the Colony of New South Wales, and to enable certain persons associated under the name, style, and firm of 'The Australian Gas Light Company,' to sue and be sued in the name of the Secretary for the time being of the said Company, and for other purposes therein mentioned; and for better enabling the said Company to purchase, hold, and dispose of Real and Personal property.*"

Question put and passed.

8. **Infant Criminals' Education Bill**:—On motion of Mr. Nichols the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the farther consideration of this Bill.

The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Tuesday next.

9. **Fraud in Manufactures Prevention Bill**, on motion of Mr. Nichols, read a third time, and passed.

Mr. Nichols then moved, That the following be the title of the Bill, viz., "*An Act for the more effectual prevention of Frauds and Abuses committed by persons employed in the manufacture of various articles of trade.*"

Question put and passed.

10. **Postponement**:—On motion of the Colonial Secretary the further consideration in Committee of the Supplementary Estimate and Estimates of Expenditure for the Year 1849-50 postponed, until Wednesday next.

Council adjourned at a quarter before Five o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

TUESDAY, AUGUST 21.

NOTICES OF MOTION:—

1. **Mr. LOWE** to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July, 1848 Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites:—
 (1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
 (2nd.) A Government (*with the exception of a Governor to be paid from the Imperial Treasury,*) removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
 (3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
 (4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
 (5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.
 In consideration of the above concessions this Colony is willing to pay for such Military Force as may be necessary for its protection in time of peace, and to grant a reasonable Civil List during the life of Her Majesty.
 That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteagle. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.
2. **Mr. BOWMAN** to move, That an Address be presented to His Excellency the Governor, praying that the sum of £1,000 may be placed on the Estimates for 1850, for the purpose of commencing the construction of a new Bridge over the South Creek at Windsor.
3. **Mr. FOSTER** to move, That an Address be presented to His Excellency the Governor, praying that he will cause the following sums of money to be placed upon the Supplementary Estimate for the year 1849.—

For making the Streets of Geelong	...	...	...	£2,000
Towards the building of an Hospital at Geelong, upon condition of a similar sum being there contributed	...	...	...	200
Towards laying Buoys at Port Albert	...	...	...	400
4. **Mr. COWPER** to move for leave to bring in a Bill to amend the Act 4 Victoria, No. 12, intituled, "*An Act to provide for the making and repairing of Parish Roads in the Colony of New South Wales.*"
5. **Mr. COWPER** to move, That the Sydney Railway Bill be now read a second time.
6. **Mr. WENTWORTH** to move, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House a Return from the 1st of January to the 1st of July of the present year, shewing the monthly average attendance of children at each of the Denominational Schools which receive Government aid from the Denominational Board.

ORDERS

ORDERS OF THE DAY :—

1. Merchant Seamen's Bill ; to be further considered in Committee.
2. Infant Criminals' Education Bill ; third reading.

WEDNESDAY, AUGUST 22.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Standard Weights and Measures Bill ; third reading.
2. Distillation Bill ; to be further considered in Committee.
3. Spirits' Duties Protection Bill ; to be considered in Committee.
4. Publicans' Bill ; to be further considered in Committee.
5. Hawkers' and Pedlers' Bill ; to be further considered in Committee.
6. Supplementary Estimate and Estimates of Expenditure for 1849-50 ; to be further considered in Committee.

FRIDAY, AUGUST 24.

NOTICES OF MOTION :—

1. MR. DANGAR to move, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to place on the Supplementary Estimate for the year 1849, a sum not exceeding five hundred pounds, for the purpose of opening and improving the direct road from Sydney to Wollombi *via* Peat's Ferry, such road leading on a direct route from Sydney to the north and north-west interior.
2. MR. LOWE to move, That this Council having taken into consideration the Report of the Select Committee appointed to report on the working of the Corporation of the City of Sydney, Resolves,—
 - (1.) That the Acts Incorporating the City of Sydney ought to be repealed.
 - (2.) That an Act ought to be passed appointing three Commissioners—at £600 per annum for the senior Commissioner, and £300 for the junior Commissioners,—in whom shall be vested the powers of lighting, paving, draining, and supplying with water the City of Sydney.
 - (3.) That the Local Revenues now vested in the Corporation be vested in these Commissioners.
 - (4.) That a uniform Rate for the purposes before mentioned be imposed by an Act of Council.
 - (5.) That the Accounts of the Commissioners be published quarterly,—that their Minutes of proceedings and Account books be open to inspection by any Magistrate or Member of the Executive or Legislative Council—and that their proceedings be annually investigated by a Committee of the Legislative Council.
 - (6.) That the present system of collecting Rates be discontinued—that all Rate payers be required to pay them into the Bank to the credit of the Commissioners upon notice, and that in default of such payment Distress Warrants shall issue.

ORDER OF THE DAY :—

1. Melbourne Building Bill ; second reading.

TUESDAY, AUGUST 28.

ORDER OF THE DAY :—

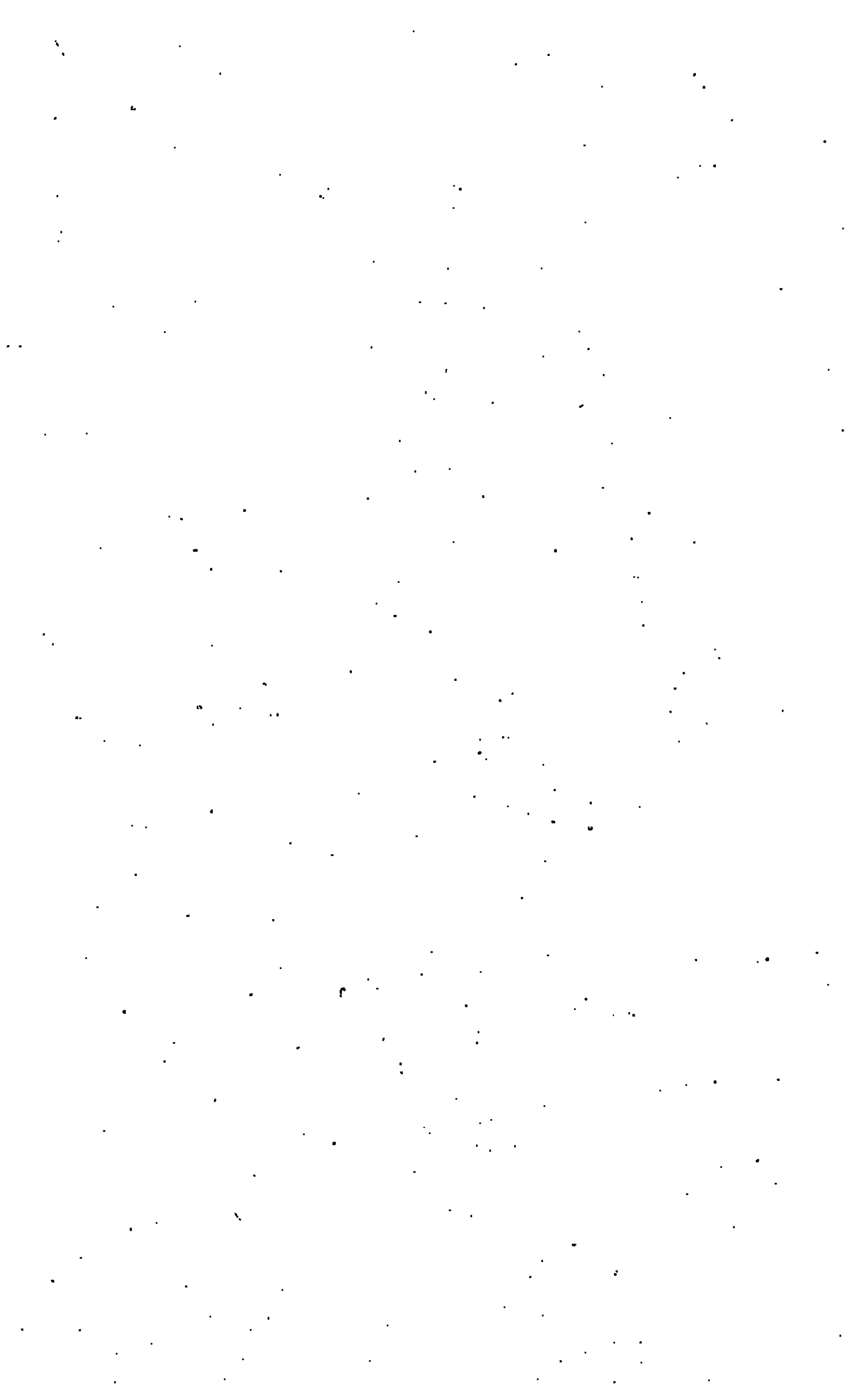
1. Geelong Incorporation Bill ; second reading.

FRIDAY, AUGUST 31.

ORDER OF THE DAY :—

1. Pawnbrokers' Bill ; second reading.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

TUESDAY, 21 AUGUST, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Hartley Police :—Mr. Martin presented a Petition from certain Magistrates, Clergymen, Landholders, and Inhabitants of the Police District of Hartley, praying the Council will allow the Salary of the Police Magistrate whatever other reductions they may make in the Police Establishment estimated for their District.
Petition received.
2. Aboriginal Depredations in the Burnett District :—Mr. Donaldson presented a Petition from certain Squatters, Stockholders, and others, resident in the Burnett and Wide Bay District, praying that the Council will concur with the Executive Government in granting to that District the protection from Aboriginal Depredations which a detachment of the Native Police would afford.
Petition received.
3. Quit Rents :—The following Message from His Excellency the Governor received and read :—
CH^s. A. FITZ ROY, Message No. 42.
Governor.

The Governor places before the Legislative Council the Copy of a Despatch from Her Majesty's Secretary of State for the Colonies, which he has recently received, in reply to His Excellency's Despatches of the 29th July 1848, Nos. 169 and 170, on the subject of the claim set up by certain owners of land for which Quit Rents are due or have been paid to the Crown, for a remission of the arrears, or a refunding of the sums paid by them, to the extent to which they consider themselves entitled in consideration of their maintenance of Convicts under certain Regulations issued from the Colonial Office in London in the year 1824.
Government House, Sydney,
21st August, 1849.

- Ordered to be printed, together with the accompanying Despatch.
4. Postponements :—
 - (1.) Mr. Donaldson, on behalf of Mr. Lowe, postponed the motion standing in the name of Mr. Lowe first on the Notice Paper for to-day, until Tuesday, September 4.
 - (2.) Mr. Donaldson, on behalf of Mr. Lowe, postponed the motion standing in the name of Mr. Lowe second on the Notice Paper for Friday, August 24, until Friday, September 7.
 - (3.) Dr. Dickson, on behalf of Mr. Bowman, postponed the motion standing in the name of Mr. Bowman second on the Notice Paper for to-day, until Friday next.
 5. Geelong and Port Albert :—Mr. Foster moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he will cause the following sums of money to be placed upon the Supplementary Estimate for the year 1849.—

For making the Streets of Geelong	£2,000
Towards the building of an Hospital at Geelong, upon condition of a similar sum being there contributed	200
Towards laying Buoys at Port Albert	400

 Debats ensued.
Motion by leave withdrawn.
 6. Parish Roads Bill :—Mr. Cowper moved, pursuant to notice, that he have leave to bring in a Bill to amend the Act 4 Victoria, No. 12, intituled, "*An Act to provide for the making and repairing of Parish Roads in the Colony of New South Wales.*"
Question put and passed ;—*Ordered*, That the Mover and Secunder prepare and bring in the Bill.
 7. Land Regulations :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Cowper on the 19th June last.
Ordered to be printed.
 8. Assent to Bills :—The Speaker reported that His Excellency the Governor had been pleased to give the Royal Assent to the following Bills :—
 - (1.) St. Philip's School Ground Bill.
 - (2.) Deodands Abolition Bill.
 9. Education :—Mr. Nichols presented a Petition from certain Roman Catholic Inhabitants of Yass and its vicinity, praying that the funds to be appropriated for Denominational Education, may be distributed among the Denominations according to their respective numbers,
Petition received.

10. *Aboriginal Depredations on the Condamine*:—Mr. Wentworth presented a Petition from certain Settlers resident on the Condamine River, and in its vicinity, praying that the Native Police Force may be increased so as to admit of Detachments being placed wherever necessary to protect the disturbed Districts from Aboriginal Depredations. Petition received.
11. *Postponement*:—Mr. Cowper postponed the motion standing in his name fifth on the Notice Paper for to-day, until this day week.
12. *Education*:—Mr. Wentworth moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House a Return from the 1st of January to the 1st of July of the present year, shewing the monthly average attendance of children at each of the Denominational Schools which receive Government aid from the Denominational Board.
Question put and passed; Address to be presented by the Speaker.
13. *Merchant Seamen's Bill*:—On the Order of the Day for the further consideration of this Bill in Committee being read,—
Mr. Nichols moved, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of the Merchant Seamen's Bill, and that it be an Instruction to such Committee to reconsider the several clauses printed XIV, XV, XXIII, XXIV, XXIV, (2) XXV, XXVI, XXVII, and XXVIII.
Question put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into Committee accordingly.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
14. *Infant Criminals' Education Bill*:—On the Order of the Day for the third reading of this Bill being read,—
Mr. Nichols moved, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of the Preamble thereof.
Question put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into Committee accordingly.
The Chairman having reported the Bill with an amendment in the Preamble thereof, the Council adopted the same,—and the Speaker having reported that the Chairman of Committees had certified to the engrossment, Bill, on motion of Mr. Nichols, read a third time, and passed.
Mr. Nichols then moved that the following be the title of the Bill, viz.:—“*An Act to provide for the care and Education of Infants who may be convicted of felony or misdemeanor.*”
Question put and passed.
Council adjourned at a quarter before Five o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

WEDNESDAY, AUGUST 22.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. THE COLLECTOR OF CUSTOMS to move for leave to bring in a Bill to amend an Act passed in the 7th year of the reign of His late Majesty King William the Fourth, intituled “*An Act for better regulating the keeping and carriage of Gunpowder.*”

ORDERS OF THE DAY:—

1. Standard Weights and Measures Bill; third reading.
2. Distillation Bill; to be further considered in Committee.
3. Spirits' Duties Protection Bill; to be considered in Committee.
4. Publicans' Bill; to be further considered in Committee.
5. Hawkers' and Pedlers' Bill; to be further considered in Committee.
6. Supplementary Estimate and Estimates of Expenditure for 1849-50; to be further considered in Committee.

FRIDAY, AUGUST 24.

NOTICES OF MOTION:—

1. MR. DANGAR to move, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to place on the Supplementary Estimate for the year 1849, a sum not exceeding five hundred pounds, for the purpose of opening and improving the direct road from Sydney to Wollombi *via* Peat's Ferry, such road leading on a direct route from Sydney to the north and north-west interior.
2. MR. BOWMAN to move, That an Address be presented to His Excellency the Governor, praying that the sum of £1,000 may be placed on the Estimates for 1850, for the purpose of commencing the construction of a new Bridge over the South Creek at Windsor.

ORDER OF THE DAY:—

1. Melbourne Building Bill; second reading.

TUESDAY,

TUESDAY, AUGUST 28.

NOTICES OF MOTION :—

1. DR. DICKSON to move, That an address be presented to His Excellency the Governor, praying that His Excellency will be pleased to make such a representation to the Colonial Land and Emigration Commissioners, so as to obtain for the Town and District of Portland an adequate supply of Emigration direct from the Mother Country to that Port.
2. MR. BERRY to move, That an Address be presented to His Excellency the Governor, praying that a sum not exceeding £210 may be put upon the Estimates for 1850, to enable the Reverend W. B. Clarke to publish a report of his Geological Researches in Australia, illustrated with maps and sections.
3. MR. MARTIN to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Quarter Sessions, with respect to summary convictions and orders.
4. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.

ORDERS OF THE DAY :—

1. Geelong Incorporation Bill; second reading.
2. Merchant Seamen's Bill; third reading.

FRIDAY, AUGUST 31.

ORDER OF THE DAY :—

1. Pawnbrokers' Bill; second reading.

TUESDAY, SEPTEMBER 4.

NOTICE OF MOTION :—

1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July, 1848 Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites :—
 - (1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
 - (2nd.) A Government (*with the exception of a Governor to be paid from the Imperial Treasury,*) removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
 - (3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
 - (4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
 - (5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.

In consideration of the above concessions this Colony is willing to pay for such Military Force as may be necessary for its protection in time of peace, and to grant a reasonable Civil List during the life of Her Majesty.

That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteagle. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.

FRIDAY, SEPTEMBER 7.

NOTICE OF MOTION.

1. MR. LOWE to move, That this Council having taken into consideration the Report of the Select Committee appointed to report on the working of the Corporation of the City of Sydney, Resolves,—
 - (1.) That the Acts Incorporating the City of Sydney ought to be repealed.
 - (2.) That an Act ought to be passed appointing three Commissioners—at £600 per annum for the senior Commissioner, and £300 for the junior Commissioners,—in whom shall be vested the powers of lighting, paving, draining, and supplying with water the City of Sydney.
 - (3.) That the Local Revenues now vested in the Corporation be vested in these Commissioners.
 - (4.) That a uniform Rate for the purposes before mentioned be imposed by an Act of Council.
 - (5.) That the Accounts of the Commissioners be published quarterly—that their Minutes of proceedings and Account books be open to inspection by any Magistrate or Member of the Executive or Legislative Council—and that their proceedings be annually investigated by a Committee of the Legislative Council.
 - (6.) That the present system of collecting Rates be discontinued—that all Rate payers be required to pay them into the Bank to the credit of the Commissioners upon notice, and that in default of such payment Distress Warrants shall issue.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 22 AUGUST, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Education :—Mr. Darvall presented a Petition from certain Roman Catholic inhabitants of Bathurst and its vicinity, praying that the funds to be appropriated for Denominational Education may be distributed among the denominations according to their respective numbers.
Petition received.
2. Darlinghurst Gaol :—Mr. Cowper, as Chairman, brought up the Report from and laid upon the Table the Evidence taken before the Select Committee appointed on the 6th June last to inquire into the discipline and security of the Darlinghurst Gaol.
Ordered to be printed.
3. Port Macquarie :—Mr. Donaldson presented a Petition from Farquhar McCrae, Doctor of Medicine, praying the Council to reconsider their Vote in reference to the Establishment of the Harbour Master at Port Macquarie.
Petition received.
4. Gunpowder keeping Bill :—The Collector of Customs moved, pursuant to notice, That he have leave to bring in a Bill to amend an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, intituled, " *An Act for better regulating the keeping and carriage of Gunpowder.*"
Question put and passed ;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
5. Postponement :—On motion of the Colonial Secretary the five first Orders of the Day postponed, until to-morrow.
6. Finance, 1849-50 :—On motion of the Colonial Treasurer the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1849-50.
The Chairman reported progress, and obtained leave to sit again to-morrow.
Council adjourned at half-past Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

THURSDAY, AUGUST 23.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Standard Weights and Measures Bill ; third reading.
2. Distillation Bill ; to be further considered in Committee.
3. Spirits' Duties Protection Bill ; to be considered in Committee.
4. Publicans' Bill ; to be further considered in Committee.
5. Hawkers' and Pedlers' Bill ; to be further considered in Committee.
6. Supplementary Estimate and Estimates of Expenditure for 1849-50 ; to be further considered in Committee.

FRIDAY, AUGUST 24.

NOTICES OF MOTION :—

1. MR. DANGAR to move, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to place on the Supplementary Estimate for the year 1849, a sum not exceeding five hundred pounds, for the purpose of opening and improving the direct road from Sydney to Wollombi *via* Peat's Ferry, such road leading on a direct route from Sydney to the north and north-west interior.
2. MR. BOWMAN to move, That an Address be presented to His Excellency the Governor, praying that the sum of £1,000 may be placed on the Estimates for 1850, for the purpose of commencing the construction of a new Bridge over the South Creek at Windsor.

ORDER OF THE DAY :—

1. Melbourne Building Bill ; second reading.

TUESDAY,

TUESDAY, AUGUST 28.

NOTICES OF MOTION :—

1. DR. DICKSON to move, That an address be presented to His Excellency the Governor, praying that His Excellency will be pleased to make such a representation to the Colonial Land and Emigration Commissioners, so as to obtain for the Town and District of Portland an adequate supply of Emigration direct from the Mother Country to that Port.
2. MR. BERRY to move, That an Address be presented to His Excellency the Governor, praying that a sum not exceeding £210 may be put upon the Estimates for 1850, to enable the Reverend W. B. Clarke to publish a report of his Geological Researches in Australia, illustrated with maps and sections.
3. MR. MARTIN to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Quarter Sessions, with respect to summary convictions and orders.
4. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.
5. COLONEL SNODGRASS 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 :—
 - (1.) Copies of all correspondence that has taken place between the Colonial Government, Captain Owen Stanley, and Lieutenant Yule, relative to the survey of Moreton Bay ; also copies of any Reports that have been made by those Officers.
 - (2.) A Return of the number of vessels and their tonnage, that have entered the Port of Moreton Bay during the years 1847 and 1848, distinguishing sailing vessels from steamers.
 - (3.) A Return of all sums received for land sold in the District of Moreton Bay since its establishment as a free settlement, distinguishing town from country land.
 - (4.) A Return of the number of free Immigrants that have been sent by the Government from Sydney to Moreton Bay, between the 1st of January 1847, and the 30th of June 1849, distinguishing male from female, and married from single.
 - (5.) Copies of all correspondence that has taken place between the Colonial Secretary, the Collector of Customs at Sydney, the Police Magistrate at Brisbane, and the Sub-Collector of Customs at Brisbane, relative to the site for a Custom House at Brisbane.

ORDERS OF THE DAY :—

1. Geelong Incorporation Bill ; second reading.
2. Merchant Seamen's Bill ; third reading.

FRIDAY, AUGUST 31.

ORDER OF THE DAY :—

1. Pawnbrokers' Bill ; second reading.

TUESDAY, SEPTEMBER 4.

NOTICE OF MOTION :—

1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July, 1848 Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites :—
 - (1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
 - (2nd.) A Government (*with the exception of a Governor to be paid from the Imperial Treasury,*) removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
 - (3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
 - (4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
 - (5th.) The repeal of the Act 5 & 6, Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.

In consideration of the above concessions this Colony is willing to pay for such Military Force as may be necessary for its protection in time of peace, and to grant a reasonable Civil List during the life of Her Majesty.

That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament ; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Montague. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.

FRIDAY,

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FRIDAY, SEPTEMBER 7.

NOTICE OF MOTION.

1. Mr. LOWE to move, That this Council having taken into consideration the Report of the Select Committee appointed to report on the working of the Corporation of the City of Sydney, Resolves,—

- (1.) That the Acts Incorporating the City of Sydney ought to be repealed.
- (2.) That an Act ought to be passed appointing three Commissioners—at £600 per annum for the senior Commissioner, and £300 for the junior Commissioners,—in whom shall be vested the powers of lighting, paving, draining, and supplying with water the City of Sydney.
- (3.) That the Local Revenues now vested in the Corporation be vested in these Commissioners.
- (4.) That a uniform Rate for the purposes before mentioned be imposed by an Act of Council.
- (5.) That the Accounts of the Commissioners be published quarterly—that their Minutes of proceedings and Account books be open to inspection by any Magistrate or Member of the Executive or Legislative Council—and that their proceedings be annually investigated by a Committee of the Legislative Council.
- (6.) That the present system of collecting Rates be discontinued—that all Rate payers be required to pay them into the Bank to the credit of the Commissioners upon notice, and that in default of such payment Distress Warrants shall issue.

CHARLES NICHOLSON,
Speaker.

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NOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 23 AUGUST, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Road between Sydney and Maitland :—The Colonial Secretary presented a Petition from certain Colonists residing at Lane Cove and North Shore, praying the completion of the line of Road between Sydney and Maitland.
Petition received.
2. Gunpowder Keeping Bill :—The Collector of Customs having presented this Bill, Bill, intituled, " *A Bill to amend an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, intituled, 'An Act for better regulating the keeping and carriage of Gunpowder,'* " read a first time ; ordered to be printed, and read a second time on Wednesday next.
3. Postponement :—On motion of the Colonial Secretary the five first Orders of the Day postponed, until Wednesday next.
4. Finance, 1849-50 :—On motion on the Colonial Treasurer the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1849-50.
The Chairman reported progress, and obtained leave to sit again to-morrow.
Council adjourned at Ten o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

FRIDAY, AUGUST 24.

NOTICES OF MOTION :—

1. MR. DANGAR to move, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to place on the Supplementary Estimate for the year 1849, a sum not exceeding five hundred pounds, for the purpose of opening and improving the direct road from Sydney to Wollombi *via* Peat's Ferry, such road leading on a direct route from Sydney to the north and north-west interior.
2. MR. BOWMAN to move, That an Address be presented to His Excellency the Governor, praying that the sum of £1,000 may be placed on the Estimates for 1850, for the purpose of commencing the construction of a new Bridge over the South Creek at Windsor.

ORDERS OF THE DAY :—

1. Melbourne Building Bill ; second reading.
2. Supplementary Estimate and Estimates of Expenditure for 1849-50 ; to be further considered in Committee.

TUESDAY, AUGUST 28.

NOTICES OF MOTION :—

1. DR. DICKSON to move, That an address be presented to His Excellency the Governor, praying that His Excellency will be pleased to make such a representation to the Colonial Land and Emigration Commissioners, so as to obtain for the Town and District of Portland an adequate supply of Emigration direct from the Mother Country to that Port.
2. MR. BERRY to move, That an Address be presented to His Excellency the Governor, praying that a sum not exceeding £210 may be put upon the Estimates for 1850, to enable the Reverend W. B. Clarke to publish a report of his Geological Researches in Australia, illustrated with maps and sections.
3. MR. MARTIN to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Quarter Sessions, with respect to summary convictions and orders.

4. MR. COWPER to move, That the Sydney Railway Bill be now read a second time.
5. COLONEL SNODGRASS 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 :—
 - (1.) Copies of all correspondence that has taken place between the Colonial Government, Captain Owen Stanley, and Lieutenant Yule, relative to the survey of Moreton Bay ; also copies of any Reports that have been made by those Officers.
 - (2.) A Return of the number of vessels and their tonnage, that have entered the Port of Moreton Bay during the years 1847 and 1848, distinguishing sailing vessels from steamers.
 - (3.) A Return of all sums received for land sold in the District of Moreton Bay since its establishment as a free settlement, distinguishing town from country land.
 - (4.) A Return of the number of free Immigrants that have been sent by the Government from Sydney to Moreton Bay, between the 1st of January 1847, and the 30th of June 1849, distinguishing male from female, and married from single.
 - (5.) Copies of all correspondence that has taken place between the Colonial Secretary, the Collector of Customs at Sydney, the Police Magistrate at Brisbane, and the Sub-Collector of Customs at Brisbane, relative to the site for a Custom House at Brisbane.
6. MR. WENTWORTH to move for leave to introduce a Bill to extend the provisions of an Act of the Governor and Legislative Council of New South Wales, passed in the 7th year of the reign of His late Majesty King William the Fourth, intituled "*An Act to promote the building of Churches and Chapels and to provide for the maintenance of Ministers of Religion in New South Wales.*"

ORDERS OF THE DAY :—

1. Geelong Incorporation Bill ; second reading.
2. Merchant Seamen's Bill ; third reading.

 WEDNESDAY, AUGUST 29.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Gunpowder Keeping Bill ; second reading.
2. Standard Weights and Measures Bill ; third reading.
3. Distillation Bill ; to be further considered in Committee.
4. Spirits' Duties Protection Bill ; to be considered in Committee.
5. Publicans' Bill ; to be further considered in Committee.
6. Hawkers' and Pedlers' Bill ; to be further considered in Committee.

 FRIDAY, AUGUST 31.

ORDER OF THE DAY :—

1. Pawnbrokers' Bill ; second reading.

 TUESDAY, SEPTEMBER 4.

NOTICE OF MOTION :—

1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July, 1848 Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites :—
 - (1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
 - (2nd.) A Government (*with the exception of a Governor to be paid from the Imperial Treasury,*) removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
 - (3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
 - (4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
 - (5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.
 In consideration of the above concessions this Colony is willing to pay for such Military Force as may be necessary for its protection in time of peace, and to grant a reasonable Civil List during the life of Her Majesty.
 That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament ; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteaule. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.

FRIDAY, SEPTEMBER 7.

NOTICE OF MOTION.

- 1. MR. LOWE to move, That this Council having taken into consideration the Report of the Select Committee appointed to report on the working of the Corporation of the City of Sydney, Resolves,—
 - (1.) That the Acts Incorporating the City of Sydney ought to be repealed.
 - (2.) That an Act ought to be passed appointing three Commissioners—at £600 per annum for the senior Commissioner, and £300 for the junior Commissioners,—in whom shall be vested the powers of lighting, paving, draining, and supplying with water the City of Sydney.
 - (3.) That the Local Revenues now vested in the Corporation be vested in these Commissioners.
 - (4.) That a uniform Rate for the purposes before mentioned be imposed by an Act of Council.
 - (5.) That the Accounts of the Commissioners be published quarterly—that their Minutes of proceedings and Account books be open to inspection by any Magistrate or Member of the Executive or Legislative Council—and that their proceedings be annually investigated by a Committee of the Legislative Council.
 - (6.) That the present system of collecting Rates be discontinued—that all Rate payers be required to pay them into the Bank to the credit of the Commissioners upon notice, and that in default of such payment Distress Warrants shall issue.

CHARLES NICHOLSON,
Speaker.



No. 57.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 24 AUGUST, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Mr. Deas Thomson's Marriage Settlement Bill :—Mr. Darvall, as Chairman, brought up the Report from the Select Committee for whose consideration and report this Bill was referred on the 27th ultimo, and laid upon the Table a copy of the Bill as corrected by the Committee.
2. Road from Sydney to Wollombi :—Mr. Dangar presented a Petition from certain Landed Proprietors and other Inhabitants of the District of Wollombi, praying the completion of the line of Road from Sydney to Wollombi by Peat's Ferry.
Petition received.
3. Leave of absence for fourteen days granted to Mr. Fitzgerald, on motion of Mr. Nichols.
4. Road from Sydney to Wollombi :—Mr. Dangar moved, pursuant to notice, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to place on the Supplementary Estimate for the year 1849, a sum not exceeding five hundred pounds, for the purpose of opening and improving the direct road from Sydney to Wollombi *via* Peat's Ferry, such road leading on a direct route from Sydney to the north and north-west interior.
Debate ensued.
Question put and passed ; Address to be presented by the Speaker.
5. Bridge over South Creek, Windsor :—Mr. Bowman moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that the sum of £1,000 may be placed on the Estimates for 1850, for the purpose of commencing the construction of a new Bridge over the South Creek at Windsor.
Debate ensued.
Question put.
Council divided.

Ayes, 9.	Noes, 10.
Mr. Allen, Mr. Berry, Mr. Martin, Mr. Bowman, Mr. Oakes, Mr. Dangar, Mr. Suttar, Mr. Nichols, Mr. Cowper, (Teller.)	Colonel Snodgrass, The Major General Commanding, Mr. Hamilton, The Colonial Secretary, Mr. Parker, The Auditor General, The Attorney General, Mr. W. Macarthur, Mr. Macintyre, Mr. Cooper, Mr. Darvall, Mr. Lamb, Mr. Moor, The Collector of Customs, The Colonial Treasurer, Mr. Wentworth, Mr. Donaldson, Mr. Lowe, Mr. Foster, (Teller.)
6. Parish Roads Bill :—Mr. Cowper having presented this Bill, intitled, " *A Bill to amend the Act, 4 Victoria, No. 12, intitled, ' An Act to provide for the making and repairing of Parish Roads in the Colony of New South Wales,'*" read a first time; ordered to be printed, and read a second time this day week.
7. Postponement :—On motion of Mr. Moor, the second reading of the Melbourne Building Bill postponed, until Tuesday next.
8. Finance, 1849-50 :—On motion of the Colonial Treasurer the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1849-50.
The Chairman reported progress, and obtained leave to sit again on Wednesday next. Council adjourned at a quarter before Nine o'clock, until Tuesday next at Three o'clock.

NOTICES

NOTICES OF MOTION AND ORDERS OF THE DAY

TUESDAY, AUGUST 28.

NOTICES OF MOTION :—

1. **DR. DICKSON** to move, That an address be presented to His Excellency the Governor, praying that His Excellency will be pleased to make such a representation to the Colonial Land and Emigration Commissioners, so as to obtain for the Town and District of Port-land an adequate supply of Emigration direct from the Mother Country to that Port.
2. **MR. BERRY** to move, That an Address be presented to His Excellency the Governor, praying that a sum not exceeding £210 may be put upon the Estimates for 1850, to enable the Reverend W. B. Clarke to publish a report of his Geological Researches in Australia, illustrated with maps and sections.
3. **MR. MARTIN** to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Quarter Sessions, with respect to summary convictions and orders.
4. **MR. COWPER** to move, That the Sydney Railway Bill be now read a second time.
5. **COLONEL SNODGRASS** 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 :—
 - (1.) Copies of all correspondence that has taken place between the Colonial Government, Captain Owen Stanley, and Lieutenant Yule, relative to the survey of Moreton Bay ; also copies of any Reports that have been made by those Officers.
 - (2.) A Return of the number of vessels and their tonnage, that have entered the Port of, Moreton Bay during the years 1847 and 1848, distinguishing sailing vessels from steamers.
 - (3.) A Return of all sums received for land sold in the District of Moreton Bay since its establishment as a free settlement, distinguishing town from country land.
 - (4.) A Return of the number of free Immigrants that have been sent by the Government from Sydney to Moreton Bay, between the 1st of January 1847, and the 30th of June 1849, distinguishing male from female, and married from single.
 - (5.) Copies of all correspondence that has taken place between the Colonial Secretary, the Collector of Customs at Sydney, the Police Magistrate at Brisbane, and the Sub-Collector of Customs at Brisbane, relative to the site for a Custom House at Brisbane.
6. **MR. WENTWORTH** to move for leave to introduce a Bill to extend the provisions of an Act of the Governor and Legislative Council of New South Wales, passed in the 7th year of the reign of His late Majesty King William the Fourth, intituled "*An Act to promote the building of Churches and Chapels and to provide for the maintenance of Ministers of Religion in New South Wales.*"
7. **MR. DARVALL** to move, That Mr. Deas Thomson's Marriage Settlement Bill be now read a second time.
8. **MR. LAMB** to move,—
 - (1.) That this Council having taken into consideration the Report of the Select Committee appointed to consider and report upon the Despatch from the Right Honorable Earl Grey, dated 8th February, 1849, respecting the introduction of Railways into this Colony, adopts the recommendations therein contained.
 - (2.) That an Address be presented to His Excellency the Governor, transmitting a copy of the above resolution, together with a copy of the above Report, and requesting that he will take the necessary steps for carrying its recommendations into effect.
9. **MR. COWPER** to move, That an address be presented to His Excellency the Governor, transmitting a copy of the Report of the Select Committee appointed to enquire into the state of discipline and security in the Darlinghurst Gaol, and requesting he will take immediate steps for carrying the recommendations therein contained into effect.

ORDERS OF THE DAY :—

1. Geelong Incorporation Bill ; second reading. . .
2. Merchant Seamen's Bill ; third reading.
3. Melbourne Building Bill ; second reading.

WEDNESDAY, AUGUST 29.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Gunpowder Keeping Bill ; second reading.
2. Standard Weights and Measures Bill ; third reading.
3. Distillation Bill ; to be further considered in Committee.
4. Spirits' Duties Protection Bill ; to be considered in Committee.
5. Publicans' Bill ; to be further considered in Committee.
6. Hawkers' and Pedlars' Bill ; to be further considered in Committee.
7. Supplementary Estimate and Estimates of Expenditure for 1849-50 ; to be further considered in Committee.

FRIDAY,

FRIDAY, AUGUST 31.

NOTICE OF MOTION :—

- 1. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions, with respect to persons charged with indictable offences

ORDERS OF THE DAY :—

- 1. Pawnbrokers' Bill; second reading.
- 2. Parish Roads Bill; second reading.

TUESDAY, SEPTEMBER 4.

NOTICE OF MOTION :—

- 1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July, 1848 Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites :—

(1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.

(2nd.) A Government (with the exception of a Governor to be paid from the Imperial Treasury,) removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.

(3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.

(4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.

(5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.

In consideration of the above concessions this Colony is willing to pay for such Military Force as may be necessary for its protection in time of peace, and to grant a reasonable Civil List during the life of Her Majesty.

That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteaigle. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.

FRIDAY, SEPTEMBER 7.

NOTICE OF MOTION.

- 1. MR. LOWE to move, That this Council having taken into consideration the Report of the Select Committee appointed to report on the working of the Corporation of the City of Sydney, Resolves,—

(1.) That the Acts Incorporating the City of Sydney ought to be repealed.

(2.) That an Act ought to be passed appointing three Commissioners—at £600 per annum for the senior Commissioner, and £300 for the junior Commissioners,—in whom shall be vested the powers of lighting, paving, draining, and supplying with water the City of Sydney.

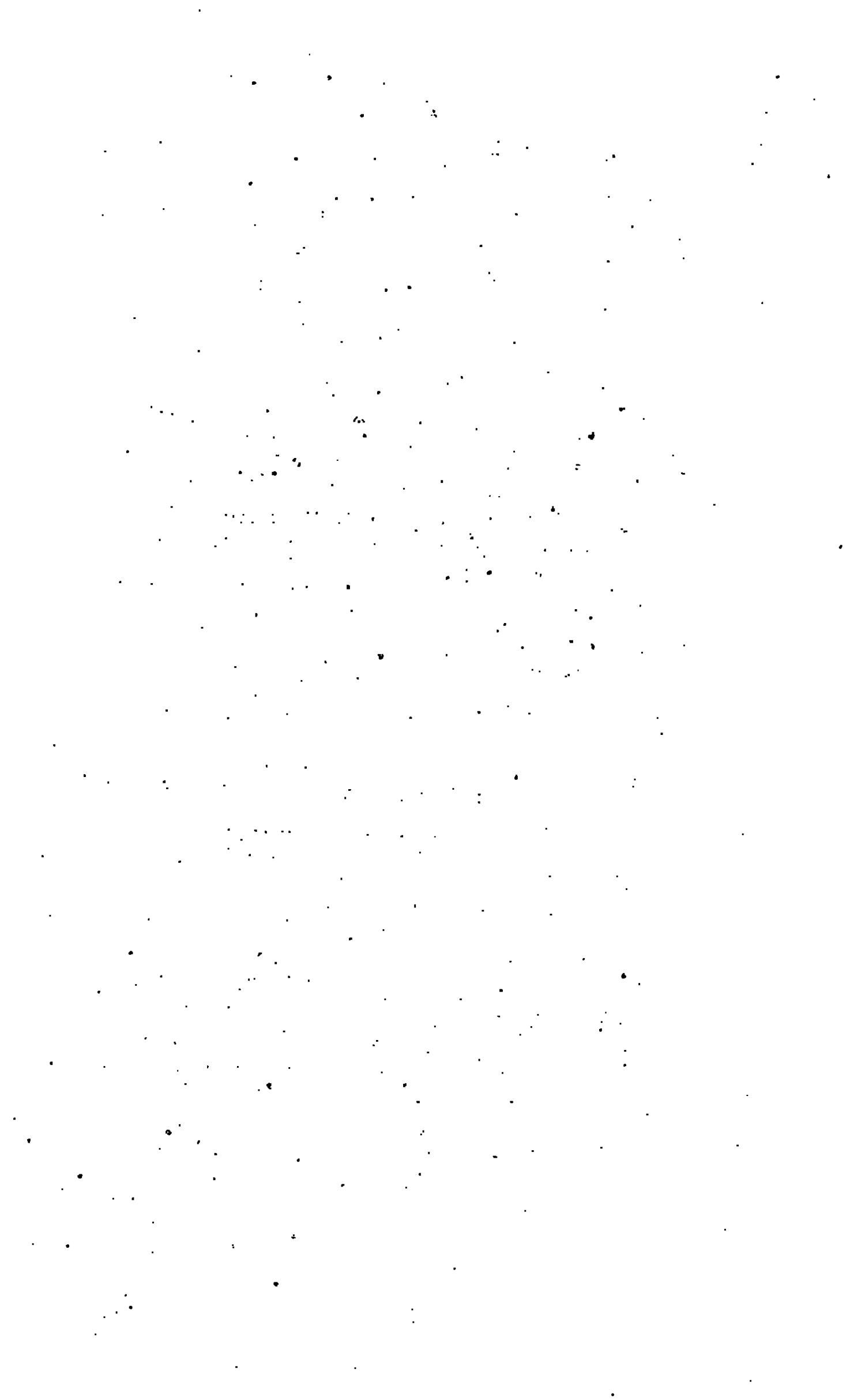
(3.) That the Local Revenues now vested in the Corporation be vested in these Commissioners.

(4.) That a uniform Rate for the purposes before mentioned be imposed by an Act of Council.

(5.) That the Accounts of the Commissioners be published quarterly—that their Minutes of proceedings and Account books be open to inspection by any Magistrate or Member of the Executive or Legislative Council—and that their proceedings be annually investigated by a Committee of the Legislative Council.

(6.) That the present system of collecting Rates be discontinued—that all Rate payers be required to pay them into the Bank to the credit of the Commissioners upon notice, and that in default of such payment Distress Warrants shall issue.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 28 AUGUST, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Education :—Mr. Martin presented a Petition from certain Roman Catholic Inhabitants of Hartley and its vicinity, praying that the funds to be appropriated for Denominational Education, may be distributed among the Denominations according to their respective numbers.
Petition received.
2. John Moring :—Mr. Cowper presented a Petition from John Moring, supplemental to the Petition presented from him on the 31st May 1848, praying compensation for the costs and expenses of an action brought against him for certain proceedings in the performance of what he believed to be his duty, in making out, as Collector, a list of Voters for Gipps' Ward.
Petition received.
3. Immigration to Portland, Port Phillip :—Dr. Dickson moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to make such a representation to the Colonial Land and Emigration Commissioners, so as to obtain for the Town and District of Portland an adequate supply of Emigration direct from the Mother Country to that Port.
Question put and passed ; Address to be presented by the Speaker.
4. Geological Researches in Australia :—Mr. Berry moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that a sum not exceeding £210 may be put upon the Estimates for 1850, to enable the Reverend W. B. Clarke to publish a report of his Geological Researches in Australia, illustrated with maps and sections.
Debate ensued.
Question put and passed ; Address to be presented by the Speaker.
5. Summary Convictions Bill :—Mr. Martin moved, pursuant to notice, That he have leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Quarter Sessions, with respect to summary convictions and orders.
Question put and passed ;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
6. Postponement :—Mr. Cowper postponed the motion standing in his name fourth on the Notice Paper for to-day, until the motion standing in the name of Mr. Lamb eighth on the Notice Paper for to-day shall have been disposed of.
7. Moreton Bay :—Colonel Snodgrass 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 :—
 - (1.) Copies of all correspondence that has taken place between the Colonial Government, Captain Owen Stanley, and Lieutenant Yule, relative to the survey of Moreton Bay ; also copies of any Reports that have been made by those Officers.
 - (2.) A Return of the number of vessels and their tonnage, that have entered the Port of Moreton Bay during the years 1847 and 1848, distinguishing sailing vessels from steamers.
 - (3.) A Return of all sums received for land sold in the District of Moreton Bay since its establishment as a free settlement, distinguishing town from country land.
 - (4.) A Return of the number of free Immigrants that have been sent by the Government from Sydney to Moreton Bay, between the 1st of January 1847, and the 30th of June 1849, distinguishing male from female, and married from single.
 - (5.) Copies of all correspondence that has taken place between the Colonial Secretary, the Collector of Customs at Sydney, the Police Magistrate at Brisbane, and the Sub-Collector of Customs at Brisbane, relative to the site for a Custom House at Brisbane.
 Question put and passed ; Address to be presented by the Speaker.
8. Church Act Extension :—Mr. Wentworth moved, pursuant to notice, That he have leave to bring in a Bill to extend the provisions of an Act of the Governor and Legislative Council of New South Wales, passed in the 7th year of the reign of His late Majesty King William the Fourth, intituled "*An Act to promote the building of Churches and Chapels and to provide for the maintenance of Ministers of Religion in New South Wales.*"
Debate ensued.
Question put.

Council divided.

Ayes, 11.

Mr. Moor,
Colonel Snodgrass,
Mr. Cooper,
Mr. Oakes,
Mr. Donaldson,
Mr. Wentworth,
Mr. Nichols,
Dr. Dickson,
Mr. Suttor,
Mr. Dangar,
Mr. Martin, (Teller.)

Noes, 13.

The Colonial Secretary,
The Attorney General,
The Colonial Treasurer,
Mr. Berry,
Mr. Lamb,
Mr. J. Macarthur,
Mr. W. Macarthur,
Mr. Bowman,
Mr. Parker,
Mr. Icely,
The Auditor General,
Mr. Foster,
Mr. Cowper, (Teller.)

9. Mr. Deas Thomson's Marriage Settlement Bill :—Mr. Foster, on behalf of Mr. Darvall, moved, pursuant to notice standing in the name of Mr. Darvall seventh on the Notice Paper for to-day, That this Bill be now-read a second time.

Question put and passed ; Bill read a second time ;—

Whereupon, on motion of Mr. Foster, the Spesker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.

The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be read a third time on Friday next.

10. Railways :—Mr. Lamb moved, pursuant to notice,—

(1.) That this Council having taken into consideration the Report of the Select Committee appointed to consider and report upon the Despatch from the Right Honorable Earl Gray, dated 8th February 1849, respecting the introduction of Railways into this Colony, adopts the recommendations therein contained.

(2.) That an Address be presented to His Excellency the Governor, transmitting a copy of the above resolution, together with a copy of the above Report, and requesting that he will take the necessary steps for carrying its recommendations into effect.

Debate ensued.

Question put.

Council divided.

Ayes, 19.

The Colonial Secretary,
The Attorney General,
Mr. Allen,
Colonel Snodgrass,
Mr. Cowper,
Mr. W. Macarthur,
Mr. Donaldson,
Mr. J. Macarthur,
Mr. Oakes,
The Auditor General,
Dr. Dickson,
Mr. Foster,
Mr. Bowman,
Mr. Cooper,
Mr. Suttor,
Mr. Icely,
Mr. Lamb,
Mr. Moor,
Mr. Parker, (Teller.)

Noes, 4.

Mr. Nichols,
Mr. Wentworth,
Mr. Dangar,
Mr. Martin, (Teller.)

Notice being taken that Mr. Lamb, Mr. Cooper, Mr. Bowman, Mr. Icely, Mr. Oakes, The Auditor General, and Mr. Cowper, who voted with the ayes, are named in the Preamble among the several persons proposed by the Sydney Railway Bill to be united into a Company to be called "The Sydney Railway Company," and are therefore directly interested in supporting the question,—

And a motion being made by Mr. Martin, and the question being proposed, That the votes of Mr. Lamb, Mr. Cooper, Mr. Bowman, Mr. Icely, Mr. Oakes, The Auditor General, and Mr. Cowper, be disallowed,—

Those Members were severally heard in their places and withdrew.

The question was then put, That the votes of Mr. Lamb, Mr. Cooper, Mr. Bowman, Mr. Oakes, The Auditor General, and Mr. Cowper, be disallowed.

Council divided.

Ayes, 14.

The Colonial Secretary,
Mr. Donaldson,
Mr. Nichols,
Colonel Snodgrass,
Mr. W. Macarthur,
Dr. Dickson,
Mr. Wentworth,
Mr. Dangar,
Mr. Suttor,
Mr. Allen,
Mr. Parker,
Mr. Moor,
Mr. Foster,
Mr. Martin, (Teller.)

Noes, 2.

Mr. J. Macarthur,
The Attorney General, (Teller.)

Whereupon the Speaker declared the votes allowed upon the Original Question to be ayes 13 and noes 4.

The Attorney General then moved, That the Address to His Excellency the Governor be presented by the Speaker.

Question put and passed.

- 11. Sydney Railway Bill :—The Attorney General moved, pursuant to notice standing in Mr. Cowper's name, fourth on the Notice Paper for to-day, That this Bill be now read a second time.

Question put and passed.

Bill read a second time; to be committed on Friday next.

12. Postponements :—

(1.) Mr. Cowper postponed the Motion standing in his name ninth on the Notice Paper for to-day, until this day week.

(2.) The second reading of the Geelong Incorporation Bill postponed, on motion of Dr. Dickson, until Friday next.

(3.) The third reading of the Merchant Seamen's Bill postponed, on motion of Mr. Nichols, until this day week.

- 13. Melbourne Building Bill, on motion of Mr. Moor, read a second time; to be committed on Friday next.

Council adjourned at half-past Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

WEDNESDAY, AUGUST 29.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

- 1. Gunpowder Keeping Bill; second reading.
- 2. Standard Weights and Measures Bill; third reading.
- 3. Distillation Bill; to be further considered in Committee.
- 4. Spirits' Duties Protection Bill; to be considered in Committee.
- 5. Publicans' Bill; to be further considered in Committee.
- 6. Hawkers' and Pedlers' Bill; to be further considered in Committee.
- 7. Supplementary Estimate and Estimates of Expenditure for 1849-50; to be further considered in Committee.

FRIDAY, AUGUST 31.

NOTICES OF MOTION :—

- 1. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions, with respect to persons charged with indictable offences
- 2. MR. DONALDSON 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 shewing the Revenue derived from and the Charges upon the Assessment levied on Stock from the date of its imposition, 1st January 1848, to the 31st December in that year, including the expenses of Postal communication beyond the Settled Districts, and the Revenue derived therefrom, and distinguishing New South Wales Proper from the District of Port Phillip; also, a Return shewing the estimated amounts of the same Items for the years 1849 and 1850, and exhibiting the estimated balance in hand resulting from the Assessment fund at the end of each of those years.

ORDERS OF THE DAY :—

- 1. Pawnbrokers' Bill; second reading.
- 2. Parish Roads Bill; second reading.
- 3. Mr. Deas Thomson's Marriage Settlement Bill; third reading.
- 4. Sydney Railway Bill; to be considered in Committee.
- 5. Geelong Incorporation Bill; second reading.
- 6. Melbourne Building Bill; to be considered in Committee.

TUESDAY, SEPTEMBER 4.

NOTICES OF MOTION :—

- 1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July, 1848 Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites :—
 (1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
 (2nd.) A Government (with the exception of a Governor to be paid from the Imperial Treasury,) removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.

(3rd.)

(3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.

(4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.

(5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.

In consideration of the above concessions this Colony is willing to pay for such Military Force as may be necessary for its protection in time of peace, *and to grant a reasonable Civil List during the life of Her Majesty.*

That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteagle. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.

2. MR. COWPER to move, That an address be presented to His Excellency the Governor, transmitting a copy of the Report of the Select Committee appointed to enquire into the state of discipline and security in the Darlinghurst Gaol, and requesting he will take immediate steps for carrying the recommendations therein contained into effect.

ORDER OF THE DAY :—

1. Merchant Seamen's Bill; third reading.

FRIDAY, SEPTEMBER 7.

NOTICE OF MOTION.

1. MR. LOWE to move, That this Council having taken into consideration the Report of the Select Committee appointed to report on the working of the Corporation of the City of Sydney, Resolves,—

(1.) That the Acts Incorporating the City of Sydney ought to be repealed:

(2.) That an Act ought to be passed appointing three Commissioners—at £600 per annum for the senior Commissioner, and £300 for the junior Commissioners,—in whom shall be vested the powers of lighting, paving, draining, and supplying with water the City of Sydney.

(3.) That the Local Revenues now vested in the Corporation be vested in these Commissioners.

(4.) That a uniform Rate for the purposes before mentioned be imposed by an Act of Council.

(5.) That the Accounts of the Commissioners be published quarterly—that their Minutes of proceedings and Account books be open to inspection by any Magistrate or Member of the Executive or Legislative Council—and that their proceedings be annually investigated by a Committee of the Legislative Council.

(6.) That the present system of collecting Rates be discontinued—that all Rate payers be required to pay them into the Bank to the credit of the Commissioners upon notice, and that in default of such payment Distress Warrants shall issue.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 29 AUGUST, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Publicans' Bill :—Mr. Nichols presented a Petition from John Robinson, licensed publican, residing on the Surry Hills, in the District of Sydney, praying the re-consideration of the 39th clause of this Bill, with a view to the omission of the word " bowls." Petition received.
2. Gunpowder Keeping Bill, having been read a second time, on motion of the Colonial Secretary, on behalf of the Collector of Customs, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof. The Chairman having reported the Bill with an amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
3. Standard Weights and Measures Bill :—On the Order of the Day for the third reading of this Bill being read,— The Colonial Secretary moved, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration thereof. Question put and passed ; and the Council resolved itself into Committee accordingly. The Chairman having reported the Bill with a further amendment, the Council adopted the same, and ordered the Bill, as so reported, to be re-engrossed, and read a third time this day week.
4. Postponements :— (1.) The further consideration in Committee of the Distillation Bill postponed, on motion of the Colonial Secretary, until to-morrow. (2.) The consideration in Committee of the Spirits Duties Protection Bill postponed, on motion of the Colonial Secretary, until to-morrow.
5. Publicans' Bill :—On motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a committee of the whole for the further consideration of this Bill. The Chairman having reported the Bill with several amendments, The Attorney General moved, " That" the Report be now adopted. Mr. Nichols moved as an amendment, That all the words following the word " That" be omitted with a view to the insertion in their place of the words " this Bill be re-committed to-morrow." Debate ensued. Proposed amendment by leave withdrawn. Original question by leave withdrawn. The Attorney General then moved, That the adoption of the Report from the Committee be an Order of the Day for to-morrow. Question put and passed.
6. Postponement :—On motion of the Colonial Secretary the further consideration in Committee of the Hawkers' and Pedlers' Bill postponed, until to-morrow.
7. Finance, 1849-50 :—On motion of the Colonial Treasurer the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and the Estimates of Expenditure for the year 1849-50. The Chairman reported progress, and obtained leave to sit again to-morrow. Council adjourned at half-past Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

THURSDAY, AUGUST 30.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Distillation Bill ; to be further considered in Committee.
2. Spirits' Duties Protection Bill ; to be considered in Committee.
3. Publicans' Bill Reported ; Adoption of the Report.
4. Hawkers' and Padlers' Bill ; to be further considered in Committee.
5. Supplementary Estimate and Estimates of Expenditure for 1849-50 ; to be further considered in Committee.

FRIDAY, AUGUST 31.

NOTICES OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions, with respect to persons charged with indictable offences
2. MR. DONALDSON 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 shewing the Revenue derived from and the Charges upon the Assessment levied on Stock from the date of its imposition, 1st January 1848, to the 31st December in that year, including the expenses of Postal communication beyond the Settled Districts, and the Revenue derived therefrom, and distinguishing New South Wales Proper from the District of Port Phillip ; also, a Return shewing the estimated amounts of the same Items for the years 1849 and 1850, and exhibiting the estimated balance in hand resulting from the Assessment fund at the end of each of those years.
3. MR. FOSTER to move, That in the opinion of this Council the Elective Franchise ought to be extended—within the boundaries of location—to the occupants of dwelling houses which together with the land occupied therewith shall be of the annual value of twenty pounds—and beyond the boundaries—to persons entitled to leases of Crown Lands.

ORDERS OF THE DAY :—

1. Pawnbrokers' Bill ; second reading.
2. Parish Roads Bill ; second reading.
3. Mr. Deas Thomson's Marriage Settlement Bill ; third reading.
4. Sydney Railway Bill ; to be considered in Committee.
5. Geelong Incorporation Bill ; second reading.
6. Melbourne Building Bill ; to be considered in Committee.

TUESDAY, SEPTEMBER 4.

NOTICES OF MOTION :—

1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July, 1848 Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites :—
 - (1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
 - (2nd.) A Government (*with the exception of a Governor to be paid from the Imperial Treasury,*) removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
 - (3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
 - (4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
 - (5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.

In consideration of the above concessions this Colony is willing to pay for such Military Force as may be necessary for its protection in time of peace, *and to grant a reasonable Civil List during the life of Her Majesty.*

That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament ; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteagle. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.
2. MR. COWPER to move, That an address be presented to His Excellency the Governor, transmitting a copy of the Report of the Select Committee appointed to enquire into the state of discipline and security in the Darlinghurst Gaol, and requesting he will take immediate steps for carrying the recommendations therein contained into effect.

ORDER OF THE DAY :—

1. Merchant Seamen's Bill ; third reading.

WEDNESDAY,

WEDNESDAY, SEPTEMBER 5.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Gunpowder Keeping Bill; third reading.
2. Standard Weights and Measures Bill; third reading.

FRIDAY, SEPTEMBER 7.

NOTICE OF MOTION.

1. MR. LOWE to move, That this Council having taken into consideration the Report of the Select Committee appointed to report on the working of the Corporation of the City of Sydney, Resolves,—
 - (1.) That the Acts Incorporating the City of Sydney ought to be repealed.
 - (2.) That an Act ought to be passed appointing three Commissioners—at £600 per annum for the senior Commissioner, and £300 for the junior Commissioners,—in whom shall be vested the powers of lighting, paving, draining, and supplying with water the City of Sydney.
 - (3.) That the Local Revenues now vested in the Corporation be vested in these Commissioners.
 - (4.) That a uniform Rate for the purposes before mentioned be imposed by an Act of Council.
 - (5.) That the Accounts of the Commissioners be published quarterly—that their Minutes of proceedings and Account books be open to inspection by any Magistrate or Member of the Executive or Legislative Council—and that their proceedings be annually investigated by a Committee of the Legislative Council.
 - (6.) That the present system of collecting Rates be discontinued—that all Rate payers be required to pay them into the Bank to the credit of the Commissioners upon notice, and that in default of such payment Distress Warrants shall issue.

CHARLES NICHOLSON,

Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 30 AUGUST, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Summary Convictions Bill:—Mr. Martin having presented this Bill, intitled, "*A Bill to facilitate the performance of the duties of Justices of the Peace out of Quarter Sessions, with respect to summary convictions and orders*", read a first time; ordered to be printed, and read a second time on Tuesday week.
2. Cumberland County Roads' Bill:—The following Message from His Excellency the Governor received and read:—

CH^s. A. FITZ ROY,
Governor.

Message No. 43.

In his Message No. 22, of the 7th June last the Governor intimated to the Legislative Council that the necessary preliminary steps would be immediately taken for giving effect to the recommendation contained in the Address of the Council dated the 1st of that month on the subject of the Public Roads in the County of Cumberland.

2. In pursuance of that intention, His Excellency now transmits to the Council the draft of a Bill, intitled, "*A Bill for the managing, making, and upholding of the Public Roads in the County of Cumberland, and for other purposes therein mentioned.*"

*Government House, Sydney,
30th August, 1849.*

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

3. Distillation Bill:—On motion of the Colonial Secretary the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day week.
4. Postponements:—
 - (1.) The consideration in Committee of the Spirits' Duties' Protection Bill postponed, on motion of the Colonial Secretary, until Wednesday next.
 - (2.) The adoption of the Report from the Committee of the whole Council on the Publicans' Bill postponed, on motion of the Attorney General, until this day week.
 - (3.) The further consideration in Committee of the Hawkers' and Pedlers' Bill postponed, on motion of the Colonial Secretary, until this day week.
5. Finance, 1849-50:—On motion of the Colonial Treasurer the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1849-50.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
Council adjourned at Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

FRIDAY, AUGUST 31.

NOTICES OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions, with respect to persons charged with indiotable offences
2. MR. DONALDSON 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 shewing the Revenue derived from and the Charges upon the Assessment levied on Stock from the date of its imposition, 1st January 1848, to the 31st December in that year, including the expenses of Postal communication beyond the Settled Districts, and the Revenue derived therefrom, and distinguishing New South Wales Proper from the District of Port Phillip; also, a Return shewing the estimated amounts of the same Items for the years 1849 and 1850, and exhibiting the estimated balance in hand resulting from the Assessment fund at the end of each of those years.
3. MR. FOSTER to move, That in the opinion of this Council the Elective Franchise ought to be extended—within the boundaries of location—to the occupants of dwelling houses which together with the land occupied therewith shall be of the annual value of twenty pounds—and beyond the boundaries—to persons entitled to leases of Crown Lands.

ORDERS OF THE DAY :—

1. Pawnbrokers' Bill; second reading.
2. Parish Roads Bill; second reading.
3. Mr. Deas Thomson's Marriage Settlement Bill; third reading.
4. Sydney Railway Bill; to be considered in Committee.
5. Geelong Incorporation Bill; second reading.
6. Melbourne Building Bill; to be considered in Committee.

TUESDAY, SEPTEMBER 4.

NOTICES OF MOTION :—

1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July, 1848 Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites :—
 (1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
 (2nd.) A Government (*with the exception of a Governor to be paid from the Imperial Treasury,*) removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
 (3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
 (4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
 (5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colon, and the Revenue derived from them.
 In consideration of the above concessions this Colony is willing to pay for such Military Force as may be necessary for its protection in time of peace, and to grant a reasonable Civil List during the life of Her Majesty.
 That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteagle. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.
2. MR. COWPER to move, That an address be presented to His Excellency the Governor, transmitting a copy of the Report of the Select Committee appointed to enquire into the state of discipline and security in the Darlinghurst Gaol, and requesting he will take immediate steps for carrying the recommendations therein contained into effect.

ORDER OF THE DAY :—

1. Merchant Seamen's Bill; third reading.

WEDNESDAY, SEPTEMBER 5.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Gunpowder Keeping Bill; third reading.
2. Standard Weights and Measures Bill; third reading.
3. Consideration of Governor's Message No. 43, with Cumberland County Roads' Bill.
4. Spirits' Duties Protection Bill; to be considered in Committee.
5. Supplementary Estimate and Estimates of Expenditure for 1849-50; to be further considered in Committee.

THURSDAY,

THURSDAY, SEPTEMBER 6.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Distillation Bill; to be further considered in Committee.
2. Publicans' Bill Reported; Adoption of the Report.
3. Hawkers' and Pedlers' Bill; to be further considered in Committee.

FRIDAY, SEPTEMBER 7.

NOTICE OF MOTION.

1. MR. LOWE to move, That this Council having taken into consideration the Report of the Select Committee appointed to report on the working of the Corporation of the City of Sydney, Resolves,—
 - (1.) That the Acts Incorporating the City of Sydney ought to be repealed.
 - (2.) That an Act ought to be passed appointing three Commissioners—at £600 per annum for the senior Commissioner, and £300 for the junior Commissioners,—in whom shall be vested the powers of lighting, paving, draining, and supplying with water the City of Sydney.
 - (3.) That the Local Revenues now vested in the Corporation be vested in these Commissioners.
 - (4.) That a uniform Rate for the purposes before mentioned be imposed by an Act of Council.
 - (5.) That the Accounts of the Commissioners be published quarterly—that their Minutes of proceedings and Account books be open to inspection by any Magistrate or Member of the Executive or Legislative Council—and that their proceedings be annually investigated by a Committee of the Legislative Council.
 - (6.) That the present system of collecting Rates be discontinued—that all Rate payers be required to pay them into the Bank to the credit of the Commissioners upon notice, and that in default of such payment Distress Warrants shall issue.

TUESDAY, SEPTEMBER 11.

ORDER OF THE DAY :—

1. Summary Convictions Bill; second reading.

CHARLES NICHOLSON,
Speaker.

11

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 31 AUGUST, 1849.

There being only nine Members present exclusive of the Speaker,—namely, The Attorney General, Mr. Cowper, Mr. Donaldson, Mr. Nichols, Mr. Moor, Mr. Foster, The Colonial Secretary, Dr. Dickson, and Mr. Parker,—the Speaker took the Chair and 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, SEPTEMBER 4.

NOTICES OF MOTION:—

1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July, 1848 Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites:—
 (1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
 (2nd.) A Government (*with the exception of a Governor to be paid from the Imperial Treasury,*) removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
 (3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
 (4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
 (5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.
 In consideration of the above concessions this Colony is willing to pay for such Military Force as may be necessary for its protection in time of peace, and to grant a reasonable Civil List during the life of Her Majesty.
 That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteagle. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.
2. MR. COWPER to move, That an address be presented to His Excellency the Governor, transmitting a copy of the Report of the Select Committee appointed to enquire into the state of discipline and security in the Darlinghurst Gaol, and requesting he will take immediate steps for carrying the recommendations therein contained into effect.
3. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions, with respect to persons charged with indictable offences
4. MR. DONALDSON 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 shewing the Revenue derived from and the Charges upon the Assessment levied on Stock from the date of its imposition, 1st January 1848, to the 31st December in that year, including the expenses of Postal communication beyond the Settled Districts, and the Revenue derived therefrom, and distinguishing New South Wales Proper from the District of Port Phillip; also, a Return shewing the estimated amounts of the same Items for the years 1849 and 1850, and exhibiting the estimated balance in hand resulting from the Assessment fund at the end of each of those years.

5. MR. FOSTER to move, That in the opinion of this Council the Elective Franchise ought to be extended—within the boundaries of location—to the occupants of dwelling houses which together with the land occupied therewith shall be of the annual value of twenty pounds—and beyond the boundaries—to persons entitled to leases of Crown Lands.

ORDERS OF THE DAY :—

1. Merchant Seamen's Bill ; third reading.
2. Pawnbrokers' Bill ; second reading.
3. Parish Roads Bill ; second reading.
4. Mr. Deas Thomson's Marriage Settlement Bill ; third reading.
5. Sydney Railway Bill ; to be considered in Committee.
6. Geelong Incorporation Bill ; second reading.
7. Melbourne Building Bill ; to be considered in Committee.

WEDNESDAY, SEPTEMBER 5.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Gunpowder Keeping Bill ; third reading.
2. Standard Weights and Measures Bill ; third reading.
3. Consideration of Governor's Message No. 43, with Cumberland County Roads' Bill.
4. Spirits' Duties Protection Bill ; to be considered in Committee.
5. Supplementary Estimate and Estimates of Expenditure for 1849-50 ; to be further considered in Committee.

THURSDAY, SEPTEMBER 6.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Distillation Bill ; to be further considered in Committee.
2. Publicans' Bill Reported ; Adoption of the Report.
3. Hawkers' and Pedlers' Bill ; to be further considered in Committee.

FRIDAY, SEPTEMBER 7.

NOTICE OF MOTION.

1. MR. LOWE to move, That this Council having taken into consideration the Report of the Select Committee appointed to report on the working of the Corporation of the City of Sydney, Resolves,—
 - (1.) That the Acts Incorporating the City of Sydney ought to be repealed.
 - (2.) That an Act ought to be passed appointing three Commissioners—at £600 per annum for the senior Commissioner, and £300 for the junior Commissioners,—in whom shall be vested the powers of lighting, paving, draining, and supplying with water the City of Sydney.
 - (3.) That the Local Revenues now vested in the Corporation be vested in these Commissioners.
 - (4.) That a uniform Rate for the purposes before mentioned be imposed by an Act of Council.
 - (5.) That the Accounts of the Commissioners be published quarterly—that their Minutes of proceedings and Account books be open to inspection by any Magistrate or Member of the Executive or Legislative Council—and that their proceedings be annually investigated by a Committee of the Legislative Council.
 - (6.) That the present system of collecting Rates be discontinued—that all Rate payers be required to pay them into the Bank to the credit of the Commissioners upon notice, and that in default of such payment Distress Warrants shall issue.

TUESDAY, SEPTEMBER 11.

ORDER OF THE DAY :—

1. Summary Convictions Bill ; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 4 SEPTEMBER, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Member sworn :—Lauchlan Mackinnon, Esquire, having taken the Oath, and handed to the Clerk at the Table the following Declaration of Qualification, took his seat as a Member for the Electoral District of Port Phillip :—

“ I, Lauchlan Mackinnon, do declare and testify, That I am duly seised at Law or in Equity of an Estate in freehold, for my own use and benefit, in lands or tenements in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, situate in the District of Port Phillip, and consisting of a dwelling house, garden, and outhouses, in Brunswick-street, in the City of Melbourne, now in the occupation of Mr. F. Bryant, and also a portion of land in Suburban Section No. 26, near the said City of Melbourne ; 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.”

L. MACKINNON.
2. Aborigines and Protectorate :—Mr. Foster, as Chairman, brought up the Report from and laid upon the Table the Evidence taken before the Select Committee appointed on the 29th June last, to inquire into the state of the Aboriginal Inhabitants of this Colony—more especially with regard to the success or failure of the present Protectorate system in Port Phillip.
Ordered to be printed.
3. Catarrh in Sheep :—Mr. Donaldson, as Chairman, brought up the Report from and laid upon the Table the Evidence taken before the Select Committee appointed on the 3rd ultimo, to inquire into and report upon the present state of the Law relating to Catarrh in sheep.
Ordered to be printed.
4. Dry Dock :—The Colonial Secretary, as Chairman, brought up the Report from and laid upon the Table the Evidence taken before the Select Committee to whom was referred, on the 13th June last, the Message of His Excellency the Governor and accompanying documents respecting the Dry Dock at Cockatoo Island.
Ordered to be printed.
5. Insolvent Estates :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject adopted, on motion of Mr. Lamb, on the 19th June last, with an accompanying Abstract.
Abstract ordered to be printed.
6. Sydney College :—Mr. Wentworth presented a Petition from certain Proprietors of the Sydney College, praying the appointment of a Select Committee to consider the best means of carrying on the Institution so as to afford the youth of the Colony the means of obtaining instruction in the higher branches of Literature and Science.
Petition received.
7. Postponement :—Mr. Lowe postponed the motion standing in his name first on the Notice Paper for to-day, until this day week.
8. Inquests and Coroners :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Nichols, on the 20th July last.
9. Postponement :—Mr. Cowper postponed the motion standing in his name second on the Notice Paper for to-day, until Friday next.
10. Indictable Offences Bill :—Mr. Nichols moved, pursuant to notice, That he have leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions, with respect to persons charged with indictable offences.
Question put and passed ;—Ordered, That the Mover and Seconder prepare and bring in the Bill.
11. Education :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Wentworth, on the 21st ultimo.
Ordered to be printed.

12. Revenue from Assessment on Stock and its Appropriation:—Mr. Donaldson 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 shewing the Revenue derived from and the Charges upon the Assessment levied on Stock from the date of its imposition, 1st January 1848, to the 31st December in that year, including the expenses of Postal communication beyond the Settled Districts, and the Revenue derived therefrom, and distinguishing New South Wales Proper from the District of Port Phillip; also, a Return shewing the estimated amounts of the same Items for the years 1849 and 1850, and exhibiting the estimated balance in hand resulting from the Assessment fund at the end of each of those years. Question put and passed; Address to be presented by the Speaker.
13. Motion withdrawn:—Mr. Mackinnon, on behalf of Mr. Foster, withdrew the motion standing in the name of Mr. Foster fifth on the Notice Paper for to-day.
14. Merchant Seamen's Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Nichols, read a third time, and *passed*.
Mr. Nichols then moved, That the following be the title of the Bill, viz., "*An Act to amend and consolidate the Laws relating to Seamen in the Merchant Service of the Colony of New South Wales, and for keeping a Register of Seamen belonging to ships Registered in the said Colony.*"
Question put and passed.
15. Pawnbrokers' Bill having been read a second time, on motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman reported progress, and obtained leave to sit again on Friday next.
16. Postponement:—The second reading of the Parish Roads Bill postponed, on motion of Mr. Cowper, until this day week.
17. Mr. Deas Thomson's Marriage Settlement Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Attorney General, read a third time, and *passed*.
The Attorney General then moved, that the following be the title of the Bill, viz.:—"*An Act for defining the powers of the Trustees or Trustees for the time being of the Settlement made on the Marriage of the Honorable Edward Deas Thomson with Anne Maria his wife, and for giving better effect to sales and exchanges made, and to be made pursuant thereto, and for other purposes.*"
Question put and passed.
18. Sydney Railway Bill:—On motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be read a third time on Friday next.
19. Geelong Incorporation Bill:—Dr. Dickson moved, That this Bill be now read a second time.
Mr. Cowper moved the previous question.
Debate ensued.
Previous question by leave withdrawn.
Original question by leave withdrawn.
Dr. Dickson then moved, That the second reading of the Geelong Incorporation Bill be postponed, until this day fortnight.
Question put and passed.
20. Melbourne Building Bill:—On motion of Mr. Moor the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Friday next.
Council adjourned at half-past Seven o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

WEDNESDAY, SEPTEMBER 5.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. THE COLONIAL SECRETARY to move for leave to bring in a "*Bill to regulate the distillation of Brandy, the produce of the Vineyards of New South Wales, and to impose a duty thereon.*"

ORDERS OF THE DAY:—

1. Gunpowder Keeping Bill; third reading.
2. Standard Weights and Measures Bill; third reading.
3. Consideration of Governor's Message No. 43, with Cumberland County Roads' Bill.
4. Spirits' Duties Protection Bill; to be considered in Committee.
5. Supplementary Estimate and Estimates of Expenditure for 1849-50; to be further considered in Committee.

OTHER

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. WENTWORTH to move, That a Select Committee be appointed to inquire into the matters contained in the petition of the proprietors of the Sydney College, and to report upon the best means of instituting a University for the promotion of literature and science to be endowed at the public expense. The Committee to consist of the Mover, the Speaker, the Colonial Secretary, the Attorney General, Mr. Lowe, Mr. Martin, Mr. James Macarthur, and Mr. Nichols.

THURSDAY, SEPTEMBER 6.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Distillation Bill ; to be further considered in Committee.
2. Publicans' Bill Reported ; Adoption of the Report.
3. Hawkers' and Pedlers' Bill ; to be further considered in Committee.

FRIDAY, SEPTEMBER 7.

NOTICES OF MOTION.

1. MR. LOWE to move, That this Council having taken into consideration the Report of the Select Committee appointed to report on the working of the Corporation of the City of Sydney, Resolves,—
 - (1.) That the Acts Incorporating the City of Sydney ought to be repealed.
 - (2.) That an Act ought to be passed appointing three Commissioners—at £600 per annum for the senior Commissioner, and £300 for the junior Commissioners,—in whom shall be vested the powers of lighting, paving, draining, and supplying with water the City of Sydney.
 - (3.) That the Local Revenues now vested in the Corporation be vested in these Commissioners.
 - (4.) That a uniform Rate for the purposes before mentioned be imposed by an Act of Council.
 - (5.) That the Accounts of the Commissioners be published quarterly—that their Minutes of proceedings and Account books be open to inspection by any Magistrate or Member of the Executive or Legislative Council—and that their proceedings be annually investigated by a Committee of the Legislative Council.
 - (6.) That the present system of collecting Rates be discontinued—that all Rate payers be required to pay them into the Bank to the credit of the Commissioners upon notice, and that in default of such payment Distress Warrants shall issue.
2. MR. COWPER to move, That an address be presented to His Excellency the Governor, transmitting a copy of the Report of the Select Committee appointed to enquire into the state of discipline and security in the Darlinghurst Gaol, and requesting he will take immediate steps for carrying the recommendations therein contained into effect.

ORDERS OF THE DAY :—

1. Pawnbrokers' Bill ; to be further considered in Committee.
2. Sydney Railway Bill ; third reading.
3. Melbourne Building Bill ; to be further considered in Committee.

TUESDAY, SEPTEMBER 11.

NOTICE OF MOTION :—

1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from *The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July, 1848* Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites :—
 - (1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
 - (2nd.) A Government (*with the exception of a Governor to be paid from the Imperial Treasury,*) removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
 - (3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
 - (4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
 - (5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.

In consideration of the above concessions this Colony is willing to pay for such Military Force as may be necessary for its protection in time of peace, and to grant a reasonable Civil List during the life of Her Majesty.

That

That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteagle. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.

ORDERS OF THE DAY :—

1. Summary Convictions Bill; second reading.
2. Parish Roads Bill; second reading.

TUESDAY, SEPTEMBER 18.

ORDER OF THE DAY :—

1. Geelong Incorporation Bill; second reading.

CHARLES NICHOLSON,
Speaker.

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VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 5 SEPTEMBER, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Colonial Brandy :—The Colonial Secretary moved, pursuant to notice, That he have leave to bring in a “ *Bill to regulate the distillation of Brandy, the produce of the Vineyards of New South Wales, and to impose a duty thereon.* ”
 Debate ensued.
 Motion by leave withdrawn.
2. **Gunpowder keeping Bill** :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and *passed*.
 The Colonial Secretary then moved, That the following be the title of the Bill, viz. :—
 “ *An Act to amend an Act passed in the seventh year of the Reign of his late Majesty King William the Fourth, intituled, ‘ An Act for better regulating the keeping and ‘ carriages of Gunpowder.’* ”
 Question put and passed.
3. **Messages** :—The following Messages from His Excellency the Governor received and read :—
 (1.) Immigration to Portland, Port Phillip.
 CH^S. A. FITZ ROY, *Message No. 44.*
Governor.

In reply to the Address of the Legislative Council of the 28th ultimo, requesting that the Governor “ will be pleased to make such a representation to the Colonial Land and Emigration Commissioners so as to obtain for the Town and District of Portland an adequate supply of Emigration direct from the Mother Country to that Port,”—The Governor begs to inform the Council that he will take an early opportunity of forwarding a copy of this Address for the consideration of Her Majesty’s Government.

Government House, Sydney,
5th September, 1849.

Ordered to be printed.

(2.) Slaughter Houses Bill.

CH^S. A. FITZ ROY, *Message No. 45.*
Governor.

In accordance with the provisions of the Act for the Government of New South Wales 5th and 6th Victoria, Cap. 76, the Governor transmits to the Legislative Council the draft of a Bill “ To prohibit the Licensing of Slaughter Houses within the limits of the City of Sydney, and for preventing other nuisances therein.”

2. This measure is submitted to the Council in pursuance of the recommendation of the Select Committee appointed to take into consideration the expediency of removing Slaughter Houses beyond the Boundaries of the City of Sydney, communicated to His Excellency in an Address dated 6th June, 1848.

Government House, Sydney,
5th September, 1849.

Ordered to be printed, together with the accompanying Bill, and taken into consideration this day week.

4. **Standard Weights and Measures Bill** :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and *passed*.
 The Colonial Secretary then moved that the following be the title of the Bill, viz. :—
 “ *An Act for adopting certain Standard Weights and Measures.* ”
 Question put and passed.
5. **Cumberland County Roads’ Bill** :—The Governor’s Message No. 43 received with this Bill on the 30th ultimo, having been read, on motion of the Colonial Secretary, Bill, intituled, “ *A Bill for the managing, making, and upholding of the Public Roads in the County of Cumberland, and for other purposes therein mentioned,* ” read a first time ; to be read a second time on Wednesday next.

6. **Spirits' Duties' Protection Bill** :—On motion of the Colonial Secretary the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman having reported the Bill with amendments,—
The Colonial Secretary moved, That the Report be adopted.
Debate ensued.
Question put and passed.
Whereupon, on motion of the Colonial Secretary, Bill ordered to be engrossed, as so reported, and read a third time on Wednesday next.
7. **Assent to Bills** :—The Speaker reported that His Excellency the Governor had been pleased to give the Royal Assent to the following Bills :—
(1.) Trust Money Bill.
(2.) Public Hospitals Bill.
(3.) Infant Criminals' Education Bill.
(4.) Frauds in Manufactures prevention Bill.
(5.) Gas Company's Bill.
(6.) Section 70 of Sydney and Melbourne Incorporation Acts suspension Bill.
(7.) Yass School Lands' Bill.
8. **Finance, 1849-50** :—On motion of the Colonial Treasurer the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1849-50.
The Chairman reported progress, and obtained leave to sit again to-morrow.
9. **Postponement** :—Mr. Wentworth postponed the motion standing in his name on the Notice Paper of Other Business for to-day, until to-morrow—with the understanding that it take precedence of the Orders of the Day.
Council adjourned at Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

THURSDAY, SEPTEMBER 6.

NOTICE OF MOTION :—

1. **MR. WESTWORTH** to move, That a Select Committee be appointed to inquire into the matters contained in the petition of the proprietors of the Sydney College, and to report upon the best means of instituting a University for the promotion of literature and science to be endowed at the public expense. The Committee to consist of the Mover, the Speaker, the Colonial Secretary, the Attorney General, Mr. Lowe, Mr. Martin, Mr. James Macarthur, and Mr. Nichols.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Distillation Bill ; to be further considered in Committee.
2. Publicans' Bill Reported ; Adoption of the Report.
3. Hawkers' and Pedlers' Bill ; to be further considered in Committee.
4. Supplementary Estimate and Estimates of Expenditure for 1849-50 ; to be further considered in Committee.

FRIDAY, SEPTEMBER 7.

NOTICES OF MOTION.

1. **MR. LOWE** to move, That this Council having taken into consideration the Report of the Select Committee appointed to report on the working of the Corporation of the City of Sydney, Resolves,—
(1.) That the Acts Incorporating the City of Sydney ought to be repealed.
(2.) That an Act ought to be passed appointing three Commissioners—at £600 per annum for the senior Commissioner, and £300 for the junior Commissioners,—in whom shall be vested the powers of lighting, paving, draining, and supplying with water the City of Sydney.
(3.) That the Local Revenues now vested in the Corporation be vested in these Commissioners.
(4.) That a uniform Rate for the purposes before mentioned be imposed by an Act of Council.
(5.) That the Accounts of the Commissioners be published quarterly—that their Minutes of proceedings and Account books be open to inspection by any Magistrate or Member of the Executive or Legislative Council—and that their proceedings be annually investigated by a Committee of the Legislative Council.
(6.) That the present system of collecting Rates be discontinued—that all Rate payers be required to pay them into the Bank to the credit of the Commissioners upon notice, and that in default of such payment Distress Warrants shall issue.

2. MR. COWPER to move, That an address be presented to His Excellency the Governor, transmitting a copy of the Report of the Select Committee appointed to enquire into the state of discipline and security in the Darlinghurst Gaol, and requesting he will take immediate steps for carrying the recommendations therein contained into effect.
3. MR. COWPER to move that the Petition presented by him on the 28th ultimo, from John Moring, be printed.
4. MR. COWPER 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 the Correspondence which has taken place between the Colonial Government and the Crown Law Officers in reference to the case of John Moring, as stated in the Petitions presented by him to this Council.

ORDERS OF THE DAY :—

1. Pawnbrokers' Bill ; to be further considered in Committee.
2. Sydney Railway Bill ; third reading.
3. Melbourne Building Bill ; to be further considered in Committee.

TUESDAY, SEPTEMBER 11.

NOTICE OF MOTION :—

1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July, 1848 Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites :—
 (1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
 (2nd.) A Government (*with the exception of a Governor to be paid from the Imperial Treasury,*) removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
 (3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
 (4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
 (5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.
 In consideration of the above concessions this Colony is willing to pay for such Military Force as may be necessary for its protection in time of peace, *and to grant a reasonable Civil List during the life of Her Majesty.*
 That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament ; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteagle. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.

ORDERS OF THE DAY :—

1. Summary Convictions Bill ; second reading.
2. Parish Roads Bill ; second reading.

WEDNESDAY, SEPTEMBER 12.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 45, with Slaughter Houses Bill.
2. Cumberland County Roads Bill ; second reading.
3. Spirits' Duties Protection Bill ; third reading.

TUESDAY, SEPTEMBER 18.

ORDER OF THE DAY :—

1. Geelong Incorporation Bill ; second reading.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 6 SEPTEMBER, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Publicans' Bill :—Mr. Nichols presented a Petition from certain Inhabitants of the Colony, praying the re-committal of this Bill, with a view to the re-consideration of certain of its clauses.
Petition received.
2. Sydney College :—Mr. Wentworth moved, pursuant to notice, That a Select Committee be appointed to inquire "into" the matters contained in the petition of the proprietors of the Sydney "College," and to report upon the best means of instituting a University for the promotion of literature and science to be endowed at the public expense. The Committee to consist of the Mover, the Speaker, the Colonial Secretary, the Attorney General, Mr. Lowe, Mr. Martin, Mr. James Macarthur, and Mr. Nichols.
Debate ensued.
Notice being taken that two of the Members named to serve on the proposed Select Committee, namely, the Mover and Mr. Martin, had subscribed the Petition from the Proprietors of the Sydney College,—
And a Debate arising as to whether those Members were not disqualified to serve on the Committee by reason of their direct interest in the inquiry proposed to be instituted into the matters contained in such Petition,—
Mr. Lowe required that the Committee be appointed by Ballot,—
And moved, That the question be amended by omitting all the words following the word "into" to and inclusive of the word "College."
Debate continued.
Question—That the words proposed to be omitted stand part of the question—put and negatived.
Question—That a Select Committee be appointed to inquire into and to report upon the best means of instituting a University for the promotion of literature and science to be endowed at the public expense—the Committee to consist of seven Members exclusive of the Mover—put and passed ;—
Whereupon the Council proceeded to the Ballot, and the following Members were declared to have the greatest number of votes, and to be, with the Mover, the Committee duly appointed, viz. :—Mr. Lowe ; The Speaker ; The Colonial Secretary ; Mr. J. Macarthur ; The Attorney General ; Mr. Cowper ; and Mr. Nichols.
3. Departing Vessels' Bill :—The following Message from His Excellency the Governor received and read :—
CH^s. A. FITZ ROY, Message No. 46.
Governor.
In accordance with the provisions of the Act for the Government of New South Wales 5 and 6 Victoria Cap. 76 the Governor transmits to the Legislative Council the Draft of a Bill "To amend the Law relating to Vessels about to leave the Colony of New South Wales."
Government House, Sydney,
6th September, 1849.
Ordered to be printed, together with the accompanying Bill, and taken into consideration on Wednesday next.
4. Petty Sessions beyond the Settled Districts :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Hamilton, on the 30th May last.
Ordered to be printed.
5. South Head Roads Accounts :—The Colonial Secretary, pursuant to the requirement of the sixth section of the Act of Council, 11 Victoria, No. 49, laid upon the Table an account of all moneys received and disbursed by the Commissioners of the South Head Roads, for the half-year last past.
Ordered to be printed.

6. **Distillation Bill** :—On motion of the Colonial Secretary the Speaker left the Chair, and 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,—
The Colonial Secretary moved, That the adoption of the Report be an Order of the Day for Wednesday next.
Question put and passed.
7. **Publicans' Bill Reported** :—The Attorney General moved, "That" the Report of this Bill be now adopted.
The Colonial Secretary moved, That the Question be amended by omitting all the words following "That" in order to insert in their place the words "this Bill be now re-committed with a view to the re-consideration and amendment of the Preamble and Clauses I., IV., X., XXXVI., XXXVII., XLVIII., and LXXXI."
Question—That the words proposed to be omitted stand part of the Question—put and negatived.
Question—That the words proposed to be inserted in place of the words omitted be so inserted—put and passed.
Question—That this Bill be now re-committed with a view to the re-consideration and amendment of the Preamble and Clauses I., IV., X., XXXVI., XXXVII., XLVIII., and LXXXI—put and passed.
Whereupon the Speaker left the Chair and the Council resolved itself into Committee accordingly.
The Chairman having reported the Bill, with further amendments,—
The Attorney General moved, "That" the Report be now adopted.
Mr. Nichols moved, That the Question be amended by omitting all the words following "That," with a view to insert in their place the words "after the word 'appropriated' on the thirtieth line of clause LXXXII, there be inserted the words 'to Her Majesty Her Heirs and Successors.'—That clause LXXXIV be expunged;— and that after the word 'time' at the end of clause LXXXVIII there be inserted the words 'and the word Treasurer shall include the Sub-Treasurer for the District of Port Phillip.'" "
Question—That the words proposed to be omitted stand part of the question—put and negatived.
Question—That the words proposed to be inserted in place of the words omitted be so inserted—put and passed.
Question—That after the word "appropriated" on the thirtieth line of clause LXXXII there be inserted the words "to Her Majesty Her Heirs and Successors";— that clause LXXXIV be expunged;—and that after the word "time," at the end of clause LXXXVIII there be inserted the words "and the word Treasurer shall include the Sub-Treasurer for the District of Port Phillip"—put and passed.
The Attorney General then moved, That the Report, as so amended, be now adopted.
Question put and passed.
Whereupon, on motion of the Attorney General, Bill, as so amended in the Reported Copy, ordered to be engrossed, and read a third time this day fortnight.
8. **Hawkers' and Pedlers' Bill** :—On motion of the Colonial Secretary the Speaker left the Chair, and 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,—
The Colonial Secretary moved, That the adoption of the Report be an Order of the Day for Wednesday next.
Question put and passed.
9. **Postponement** :—On motion of the Colonial Treasurer the further consideration in Committee of the Supplementary Estimate and Estimates of Expenditure for the year 1849-50 postponed, until Wednesday next.
Council adjourned at a quarter after Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

FRIDAY, SEPTEMBER 7.

NOTICES OF MOTION.

1. **MR. LOWE** to move, That this Council having taken into consideration the Report of the Select Committee appointed to report on the working of the Corporation of the City of Sydney, Resolves,—
(1.) That the Acts Incorporating the City of Sydney ought to be repealed.
(2.) That an Act ought to be passed appointing three Commissioners—at £600 per annum for the senior Commissioner, and £300 for the junior Commissioners,—in whom shall be vested the powers of lighting, paving, draining, and supplying with water the City of Sydney.
(3.) That the Local Revenues now vested in the Corporation be vested in these Commissioners.
(4.) That a uniform Rate for the purposes before mentioned be imposed by an Act of Council,

(5.)

(5.) That the Accounts of the Commissioners be published quarterly—that their Minutes of proceedings and Account books be open to inspection by any Magistrate or Member of the Executive or Legislative Council—and that their proceedings be annually investigated by a Committee of the Legislative Council.

(6.) That the present system of collecting Rates be discontinued—that all Rate payers be required to pay them into the Bank to the credit of the Commissioners upon notice, and that in default of such payment Distress Warrants shall issue.

- 2. MR. COWPER to move, That an address be presented to His Excellency the Governor, transmitting a copy of the Report of the Select Committee appointed to enquire into the state of discipline and security in the Darlinghurst Gaol, and requesting he will take immediate steps for carrying the recommendations therein contained into effect.
- 3. MR. COWPER to move that the Petition presented by him on the 28th ultimo, from John Moring, be printed.
- 4. MR. COWPER 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 the Correspondence which has taken place between the Colonial Government and the Crown Law Officers in reference to the case of John Moring, as stated in the Petitions presented by him to this Council.
- 5. MR. LOWE to move, That the name of Mr. Mackinnon be restored to the Land Committee.

ORDERS OF THE DAY :—

- 1. Pawnbrokers' Bill; to be further considered in Committee.
- 2. Sydney Railway Bill; third reading.
- 3. Melbourne Building Bill; to be further considered in Committee.

TUESDAY, SEPTEMBER 11.

NOTICE OF MOTION :—

- 1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July, 1848 Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites :—
 - (1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
 - (2nd.) A Government (*with the exception of a Governor to be paid from the Imperial Treasury,*) removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
 - (3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
 - (4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
 - (5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.

In consideration of the above concessions this Colony is willing to pay for such Military Force as may be necessary for its protection in time of peace, and to grant a reasonable Civil List during the life of Her Majesty.

That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Montagu. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.

- 2. MR. DONALDSON to move for leave to bring in a Bill to amend an Act passed in the tenth year of Her present Majesty Queen Victoria, intituled, "An Act to consolidate and amend the laws now in force for preventing the extension of the diseases called the "Scab and the Influenza or Catarrh in Sheep and Lambs in the Colony of New South Wales."

ORDERS OF THE DAY :—

- 1. Summary Convictions Bill; second reading.
- 2. Parish Roads Bill; second reading.

WEDNESDAY, SEPTEMBER 12.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

- 1. Consideration of Governor's Message No. 45, with Slaughter Houses Bill.
- 2. Cumberland County Roads Bill; second reading.
- 3. Spirits' Duties Protection Bill; third reading.
- 4. Consideration of Governor's Message, No. 46, with Departing Vessels Bill.
- 5. Distillation Bill Reported; Adoption of the Report.
- 6. Hawkers' and Pedlers' Bill Reported; Adoption of the Report.
- 7. Supplementary Estimate and Estimates of Expenditure for 1849-50; to be further considered in Committee.

TUESDAY, SEPTEMBER 18.

ORDER OF THE DAY :—


1. Geelong Incorporation Bill; second reading.

THURSDAY, SEPTEMBER 20.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Publicans' Bill; third reading.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 7 SEPTEMBER, 1849.

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

City Corporation :—

(1.) Mr. Wentworth presented a Petition from certain Citizens of Sydney against the adoption of the recommendations contained in the Report from the Select Committee on the City Corporation.

Petition received.

(2.) Mr. Lowe presented a Petition from certain Citizens of Sydney, praying the repeal of the Sydney Corporation Act and the passing of an Act constituting a body to be elected by the Citizens with a Franchise such as obtains in the Municipalities of the Mother Country and with powers efficiently to carry out the improvement of the City.

Petition received.

2. Indictable Offences Bill :—Mr. Nichols having presented this Bill, Bill, intituled, "A Bill to facilitate the performance of the duties of Justices of the Peace, out of Sessions, within the Colony of New South Wales, with respect to persons charged with Indictable Offences," read a first time, and ordered to be printed.

3. City Corporation :—Mr. Lowe moved, pursuant to notice, That this Council, having taken into consideration the Report of the Select Committee appointed to report on the working of the Corporation of the City of Sydney, Resolves,—

(1.) "That" the Acts Incorporating the City of Sydney ought to be repealed.

Debate ensued.

Mr. Nichols moved, That the Question be amended by omitting all the words following the word "That" with a view to the insertion in their place of the words "it is the opinion of this House that the Corporation of the City of Sydney ought to be amended but not abolished."

Debate continued.

Question put, That the words proposed to be omitted stand part of the question.

Council divided.

Ayes, 6.

Mr. W. Macarthur,
Mr. Lowe,
Mr. Berry,
Mr. J. Macarthur,
Mr. Lamb,
Mr. Cowper, (Teller.)

Noes, 15.

The Colonial Secretary,
The Attorney General,
Mr. Fitzgerald,
Mr. Nichols,
Mr. Oakes,
Mr. Wentworth,
Colonel Snodgrass,
The Auditor General,
Dr. Dickson,
Mr. Allen,
Mr. Moor,
Mr. Cooper,
Mr. Icely,
Mr. Mackinnon,
Mr. Parker, (Teller.)

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

Question—That this Council having taken into consideration the Report of the Select Committee appointed to report on the working of the Corporation of the City of Sydney, Resolves, That it is the opinion of this House that the Corporation of the City of Sydney ought to be amended but not abolished—put and passed.

Mr. Lowe then moved—

(2.) "That" an Act ought to be passed appointing three Commissioners—at £600 per annum for the senior Commissioner, and £300 for the junior Commissioners,—in whom shall be vested the powers of lighting, paving, draining, and supplying with water the City of Sydney.

Mr.

Mr. Cowper moved, That the Question be amended by omitting all the words following the word "That" with a view to the insertion in their place of the words "An Act should be passed abolishing the office of Alderman, and constituting a body consisting of twelve Councillors and a Mayor to be elected by the whole body of Citizens."

Debate ensued.

Proposed amendment by leave withdrawn:

Original Question put and negatived.

Mr. Lowe then withdrew the remaining Resolutions in connexion with this subject which stand in his name on the Notice Paper for to-day.

4. Postponement:—Mr. Cowper postponed the motions standing in his name second, third, and fourth on the Notice Paper for to-day, until Tuesday next.
5. Land Committee:—Mr. Lowe moved, pursuant to notice, That the name of Mr. Mackinnon be restored to the Land Committee.
Question put and passed.
6. Postponement:—The further consideration in Committee of the Pawnbrokers' Bill postponed, on motion of Mr. Nichols, until Tuesday next.
7. Sydney Railway Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Attorney General, read a third time, and *passed*.
The Attorney General then moved, That the following be the title of the Bill, viz. :—
"An Act to Incorporate a Company to be called 'The Sydney Railway Company.'"
Question put and passed.
8. Postponement:—The further consideration in Committee of the Melbourne Building Bill postponed, on motion of Mr. Moor, until Tuesday next.
Council adjourned at Ten o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

TUESDAY, SEPTEMBER 11.

NOTICES OF MOTION:—

Contingent—MR. MACKINNON to move, (after Mr. Lowe's Resolution (2.))—The extension of the Elective Franchise to tenant farmers and the occupants of the public lands, on terms as approximate as the circumstances of the Colony will permit to the system that obtains in the Mother Country.

1. MR. LOWE to move, That this Council, having taken into consideration a Despatch from The Right Honorable Earl Grey to Sir Charles Fitz Roy, dated the 31st July, 1848 Resolves, that no form of Constitution for this Colony will be acceptable, permanent, or beneficial, which does not embody the following requisites:—
(1st.) An explicit recognition of the right of the Colonists of New South Wales to have their Government administered by persons responsible to their representatives.
(2nd.) A Government (*with the exception of a Governor to be paid from the Imperial Treasury,*) removable by the vote of the Colonial Legislature, and invested with all Colonial patronage.
(3rd.) An Elective Assembly in which no person nominated by the Crown shall hold a seat.
(4th.) The placing the sum of £81,600, contained in the Schedules A, B, and C, appended to the Act 5 & 6 Victoria, c. 76, together with the expenses of the Customs Department, at the disposal of such Assembly.
(5th.) The repeal of the Act 5 & 6 Victoria, c. 76, and transferring to the Local Government and Legislature the management of the Waste Lands of the Colony, and the Revenue derived from them.
In consideration of the above concessions this Colony is willing to pay for such Military Force as may be necessary for its protection in time of peace, and to grant a reasonable Civil List during the life of Her Majesty.
That these Resolutions be embodied in an humble Address to Her Majesty, and in Petitions to both Houses of Parliament; the Petition to the House of Commons to be entrusted to Mr. Cobden, and the Petition to the House of Lords to Lord Monteagle. That an Address be presented to His Excellency, praying him to forward the Addresses to Her Majesty for presentation.
2. MR. DONALDSON to move for leave to bring in a Bill to amend an Act passed in the tenth year of Her present Majesty Queen Victoria, intituled, "An Act to consolidate and amend the laws now in force for preventing the extension of the diseases called the Scab and the Influenza or Catarrh in Sheep and Lambs in the Colony of New South Wales."
3. MR. NICHOLS to move for leave to bring in a Bill to make further provisions for the service of the process of the Supreme Court of New South Wales.
4. MR. COWPER to move, That an Address be presented to His Excellency the Governor, transmitting a copy of the Report of the Select Committee appointed to enquire into the state of discipline and security in the Darlinghurst Gaol, and requesting he will take immediate steps for carrying the recommendations therein contained into effect.
5. MR. COWPER to move that the Petition presented by him on the 28th ultimo, from John Moring, be printed.

- 6. MR. COWPER 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 the Correspondence which has taken place between the Colonial Government and the Crown Law Officers in reference to the case of John Moring, as stated in the Petitions presented by him to this Council.
- 7. MR. NICHOLS to move for leave to bring in a Bill to effectuate the service of process issuing from the Supreme Court of New South Wales, in the Equitable Jurisdiction thereof.

ORDERS OF THE DAY :—

- 1. Summary Convictions Bill ; second reading.
- 2. Parish Roads Bill ; second reading.
- 3. Pawnbrokers' Bill ; to be further considered in Committee.
- 4. Melbourne Building Bill ; to be further considered in Committee.

WEDNESDAY, SEPTEMBER 12.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

- 1. THE COLONIAL SECRETARY to move,
 - (1.) That this Council having taken into consideration the Report of the Select Committee appointed to consider and report on the Governor's Message No. 15 and accompanying documents respecting the Dry Dock at Cockatoo Island, adopts the recommendations therein contained.
 - (2.) That an Address be presented to His Excellency the Governor transmitting a copy of the above Resolution, together with a copy of the above mentioned Report, and requesting that His Excellency will take the necessary steps for carrying its recommendations into effect.

ORDERS OF THE DAY :—

- 1. Consideration of Governor's Message No. 45, with Slaughter Houses Bill.
- 2. Cumberland County Roads Bill ; second reading.
- 3. Spirits' Duties Protection Bill ; third reading.
- 4. Consideration of Governor's Message, No. 46 ; with Departing Vessels Bill.
- 5. Distillation Bill Reported ; Adoption of the Report.
- 6. Hawkers' and Pedlers' Bill Reported ; Adoption of the Report.
- 7. Supplementary Estimate and Estimates of Expenditure for 1849-50 ; to be further considered in Committee.

FRIDAY, SEPTEMBER 14.

NOTICE OF MOTION.

- 1. MR. JAMES MACARTHUR to move :—
 - (1.) That according to "the Statistics of New South Wales," compiled from Official Records in the office of the Colonial Secretary, the extent of Vineyards in the Colony in the year 1843, was 512 acres, yielding 33,915 gallons of wine, and 751 gallons of brandy, whilst in the year ending 31st March, 1849, there were 995 acres of Vineyard, yielding 103,606 gallons of wine, and 1,263 gallons of brandy ; and from the recent formation of most of the Vineyards, and the very small proportion as yet in full bearing, as well as from the gradual extension of vine culture, there is reason to expect a great and progressive increase in the production of Australian wine.
 - (2.) That if sent to a British market, Australian wine is liable to an import duty of 5s. 6d. per gallon, whereas Cape wine is admitted at a duty of 2s. 9d. per gallon. That this high rate of duty, in a great measure, precludes the shipment of Australian wine to England, and operates as a discouragement to the Australian wine grower,—the more sensibly felt because at variance with the principles which regulate the Commercial Policy of the Empire, and because the Australian Colonies afford a market for British manufactures and produce, to an amount greater in proportion than any other of the Colonial Dependencies of Great Britain, and by the supply of fine wool, are mainly instrumental in enabling the British clothier to maintain a successful competition with the Continent of Europe.
 - (3.) That the inequality of duties, above referred to, is obviously attributable to the fact, that little if any wine was produced in Australia at the time of the passing of the Act of the Imperial Parliament, (1st and 2nd William 4, cap. 30,) which establishes the rate of duties on wines imported into Great Britain, and this Council is of opinion, that it can only be required to bring the subject under the notice of the Imperial Authorities, to ensure the recognition of just principles, and the abolition of a discriminating duty so unfair to the Australian Colonies.
 - (4.) That His Excellency the Governor be respectfully requested to forward these Resolutions to the Right Honorable the Secretary of State for the Colonial Department, with a recommendation that the British Import Duty upon Wines, the produce of the Australian Colonies, be reduced, and that they be admitted into the Home Market upon the most favored footing.

TUESDAY, SEPTEMBER 18.

ORDER OF THE DAY :—

- 1. Geelong Incorporation Bill ; second reading.

THURSDAY, SEPTEMBER 20.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

- 1. Publicans' Bill ; third reading.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 11 SEPTEMBER, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Messages:—The following Messages from His Excellency the Governor received and read:—

(1.) Quarantine Bill.

CH^s. A. FITZ ROY,
Governor.

Message No. 47.

In accordance with the provisions of the Act for the Government of New South Wales, 5th and 6th Victoria, cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill "Further to amend the law relating to Quarantine in New South Wales."

*Government House, Sydney,
11th September, 1849.*

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

(2.) Police Reward Fund Bill.

CH^s. A. FITZ ROY,
Governor.

Message No. 48.

In accordance with the provisions of the Act for the Government of New South Wales, 5th and 6th Victoria, Cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill "To authorise the imposition of Fines on members of the Police Force throughout the Colony of New South Wales, and to establish a Fund to be called the Police Reward Fund."

*Government House, Sydney,
11th September, 1849.*

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

(3.) Proposed Additions to the Supplementary Estimate and Estimates for 1849-50.

CH^s. A. FITZ ROY,
Governor.

Message No. 49.

The Governor submits, for the consideration of the Legislative Council, the enclosed Statement of proposed Additions to the Estimates for the Service of the Years 1849 and 1850, viz:—

1849	£1,244 6 6
1850	8,247 2 6

The nature and particulars of these proposed Additional Appropriations of the Public Money, will be explained by the proper Officer on being brought under consideration.

*Government House, Sydney,
11th September, 1849.*

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

2. Medical Profession Bill:—Mr. Moor presented a Petition from certain Druggists of Port Phillip against this Bill.
Petition received.
3. Port Macquarie:—Mr. Donaldson presented a Petition from certain Inhabitants of Port Macquarie, praying the Council to re-consider their vote in reference to the Harbour Master's Establishment at Port Macquarie.
Petition received.
4. Portland, Port Phillip:—The Colonial Secretary laid upon the Table a letter addressed to him by certain Inhabitants of Portland, Port Phillip, with a view to remove certain misapprehensions they believe to exist as to the safety of vessels trading thither.
Ordered to be printed.
5. Criminal Statistics:—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Cowper on the 22nd May last, together with the original papers on which the accompanying Summary Return is founded.
Summary Return ordered to be printed.

6. Revenue and Expenditure of Port Phillip :—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Foster on the 27th July last, with an accompanying Summary. The Summary Return ordered to be printed.
7. Morston Bay :—The Colonial Secretary laid upon the Table Nos. 3 and 4 of the Returns enumerated in the Address on this subject, adopted on motion of Colonel Snodgrass on the 28th ultimo. Ordered to be printed.
8. Motions withdrawn :—
 (1.) Mr. Lowe withdrew the motion standing in his name first on the Notice Paper for to-day.
 (2.) Mr. Mackinnon withdrew the contingent motion standing in his name on the Notice Paper for to-day.
9. Postponements :—
 (1.) Mr. Donaldson postponed the motion standing in his name second on the Notice Paper for to-day, until Friday next.
 (2.) Mr. Martin, on behalf of Mr. Nichols, postponed the motion standing in the name of Mr. Nichols third on the Notice Paper for to-day, until Friday next.
10. Motion withdrawn :—Mr. Cowper withdrew the motion standing in his name fourth on the Notice Paper for to-day.
11. John Moring :—
 (1.) Mr. Cowper moved, pursuant to notice, That the Petition presented by him on the 28th ultimo, from John Moring, be printed.
 Debate ensued.
 Question put and passed.
 (2.) Mr. Cowper 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 the Correspondence which has taken place between the Colonial Government and the Crown Law Officers in reference to the case of John Moring, as stated in the Petitions presented by him to this Council.
 Debate ensued.
 Question put and passed; Address to be presented by the Speaker.
12. Process Bill :—Mr. Nichols moved, pursuant to notice, That he have leave to bring in a Bill to effectuate the service of process issuing from the Supreme Court of New South Wales, in the Equitable Jurisdiction thereof.
 Question put and passed;—Ordered, That the Mover and Seconder prepare and bring in the Bill.
13. Summary Convictions Bill, on motion of Mr. Martin read a second time; to be committed this day week.
14. Postponement :—The second reading of the Parish Roads Bill postponed, on motion of Mr. Cowper, until Friday next.
15. Pawnbrokers' Bill :—On motion of Mr. Nichols the Speaker left the Chair, and 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,—
 Mr. Nichols moved "That" the Report be now adopted.
 Mr. Martin moved that the Question be amended by omitting all the words following "That," with a view to the insertion in their place of the words "in the XVI section " the word 'six' in the eleventh, seventeenth, and twenty-second lines respectively " be struck out, and the word 'three' be inserted in lieu thereof."
 Question,—That the words proposed to be omitted stand part of the question,—put and negatived.
 Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
 Question—That in the XVI section the word "six" in the eleventh, seventeenth, and twenty-second lines respectively be struck out, and the word "three" be inserted in lieu thereof—put and passed.
 Mr. Nichols then moved, That the Report, as so amended, be now adopted.
 Question put and passed.
 Whereupon on motion of Mr. Nichols, Bill, as so amended in the Reported Copy, ordered to be engrossed, and read a third time on Friday next.
16. Melbourne Building Bill :—On motion of Mr. Moor the Speaker left the Chair, and 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, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day fortnight.
 Council adjourned at Five o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, SEPTEMBER 12.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. THE COLONIAL SECRETARY to move,
 (1.) That this Council having taken into consideration the Report of the Select Committee appointed to consider and report on the Governor's Message No. 15 and accompanying documents respecting the Dry Dock at Cockatoo Island, adopts the recommendations therein contained.
 (2.) That an Address be presented to His Excellency the Governor transmitting a copy of the above Resolution, together with a copy of the above mentioned Report, and requesting that His Excellency will take the necessary steps for carrying its recommendations into effect.

ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 45, with Slaughter Houses Bill.
2. Cumberland County Roads Bill ; second reading.
3. Spirits' Duties Protection Bill ; third reading.
4. Consideration of Governor's Message, No. 46 ; with Departing Vessels Bill.
5. Distillation Bill Reported ; Adoption of the Report.
6. Hawkers' and Pedlers' Bill Reported ; Adoption of the Report.
7. Supplementary Estimate and Estimates of Expenditure for 1849-50 ; to be further considered in Committee.

THURSDAY, SEPTEMBER 13.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Message, No. 47, with Quarantine Bill.
2. Consideration of Governor's Message, No. 48, with Police Reward Fund Bill.
3. Consideration of Governor's Message, No. 49, with proposed Additions to the Supplementary Estimate and Estimates of Expenditure for 1849-50.

FRIDAY, SEPTEMBER 14.

NOTICE OF MOTION.

1. MR. JAMES MACARTHUR to move :—
 (1.) That according to "the Statistics of New South Wales," compiled from Official Records in the office of the Colonial Secretary, the extent of Vineyards in the Colony in the year 1843, was 512 acres, yielding 33,915 gallons of wine, and 751 gallons of brandy, whilst in the year ending 31st March, 1849, there were 995 acres of Vineyard, yielding 103,606 gallons of wine, and 1,263 gallons of brandy ; and from the recent formation of most of the Vineyards, and the very small proportion as yet in full bearing, as well as from the gradual extension of vine culture, there is reason to expect a great and progressive increase in the production of Australian wine.
 (2.) That if sent to a British market, Australian wine is liable to an import duty of 5s. 6d. per gallon, whereas Cape wine is admitted at a duty of 2s. 9d. per gallon. That this high rate of duty, in a great measure, precludes the shipment of Australian wine to England, and operates as a discouragement to the Australian wine grower,—the more sensibly felt because at variance with the principles which regulate the Commercial Policy of the Empire, and because the Australian Colonies afford a market for British manufactures and produce, to an amount greater in proportion than any other of the Colonial Dependencies of Great Britain, and by the supply of fine wool, are mainly instrumental in enabling the British clothier to maintain a successful competition with the Continent of Europe.
 (3.) That the inequality of duties, above referred to, is obviously attributable to the fact, that little if any wine was produced in Australia at the time of the passing of the Act of the Imperial Parliament, (1st and 2nd William 4, cap. 30,) which establishes the rate of duties on wines imported into Great Britain, and this Council is of opinion, that it can only be required to bring the subject under the notice of the Imperial Authorities, to ensure the recognition of just principles, and the abolition of a discriminating duty so unfair to the Australian Colonies.
 (4.) That His Excellency the Governor be respectfully requested to forward these Resolutions to the Right Honorable the Secretary of State for the Colonial Department, with a recommendation that the British Import Duty upon Wines, the produce of the Australian Colonies, be reduced, and that they be admitted into the Home Market upon the most favored footing.
2. MR. MACKINNON to move, That an Address be presented to His Excellency the Governor, requesting that he will cause to be laid on the Table of this House, Returns shewing the aggregate amount of money that has been paid into the Colonial Treasury for Allotments of land in the Town of Geelong ; and also Returns showing the amount of money that has been paid out of the Public Funds for the formation or improvement of the streets or public ways in the said Town of Geelong.

3. **DR. DICKSON** 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 Return of all the Town and Village Reserves in the intermediate districts of Port Phillip, distinguishing those that have been surveyed and are open for sale from those that have not, also shewing the number of allotments applied for to purchase in each, and the date of all the applications that have not been complied with.
 4. **DR. DICKSON** 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 Return shewing the number of lots and total extent of land that has been sold in the intermediate districts of Port Phillip, and that are now open to selection at the upset price, distinguishing country special country and suburban lots and town allotments where any have been sold, and shewing what reserve, if any, has been made for a Town Common in the places where Towns have been surveyed, and whether any portion of land is appropriated as right of Common until required for purchase by purchasers of suburban lots or small special country lots adjoining the several Townships.
 5. **MR. WENTWORTH** to move for leave to bring in a Bill to amend the law of Dower in certain respects.
 6. **MR. DONALDSON** to move for leave to bring in a Bill to amend an Act passed in the tenth year of Her present Majesty Queen Victoria, intituled, "*An Act to consolidate and amend the laws now in force for preventing the extension of the diseases called the Scab and the Influenza or Catarrh in Sheep and Lambs in the Colony of New South Wales.*"
- MR. NICHOLS** to move for leave to bring in a Bill to make further provisions for the service of the process of the Supreme Court of New South Wales.

ORDERS OF THE DAY :—

1. Parish Roads Bill; second reading.
2. Pawnbrokers' Bill; third reading.

TUESDAY, SEPTEMBER 18.

ORDER OF THE DAY :—

1. Geelong Incorporation Bill; second reading.
2. Summary Convictions Bill; to be considered in Committee.

THURSDAY, SEPTEMBER 20.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Publicans' Bill; third reading.

TUESDAY, SEPTEMBER 25.

ORDERS OF THE DAY :—

1. Melbourne Building Bill; third reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 12 SEPTEMBER, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Postage Bill :—The Colonial Secretary, as Chairman, brought up the Report from and laid upon the Table the Evidence taken before the Select Committee to whom this Bill was referred on the 9th ultimo, together with a copy of the Bill as amended in the Select Committee.
Report, Evidence, and amended Bill ordered to be printed.
2. Process Bill :—Mr. Nichols having presented this Bill, Bill, intituled, "*A Bill to effectuate the service of Process issuing from the Supreme Court of New South Wales in the Equitable Jurisdiction thereof,*" read a first time ; ordered to be printed, and read a second time on Tuesday next.
3. Postponement :—The Colonial Secretary postponed the motion standing in his name on the Notice Paper for to-day, until to-morrow.
4. Slaughter Houses Bill :—The Governor's Message No. 45, received with this Bill on the 5th instant, having been read, on motion of the Colonial Secretary, Bill, intituled, "*A Bill to prohibit the Licensing of Slaughter Houses within the limits of the City of Sydney, and for preventing other nuisances therein,*" read a first time ; to be read a second time this day week.
5. Cumberland County Roads Bill, on motion of the Colonial Secretary, read a second time ; to be committed to-morrow.
6. Spirits Duties Protection Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and passed.
The Colonial Secretary then moved that the following be the title of the Bill, viz. :—"*An Act to prevent unlawful distillation, and to provide for the protection of the Revenue arising from the Duties on Spirits.*"
Question put and passed.
7. Departing Vessels' Bill :—The Governor's Message No. 46, received with this Bill on the 6th instant, having been read, on motion of the Colonial Secretary, Bill, intituled, "*A Bill to amend the Law relating to Vessels about to leave the Colony of New South Wales,*" read a first time ; to be read a second time to-morrow.
8. Distillation Bill Reported :—The Colonial Treasurer moved "That" the Report of this Bill be now adopted.
The Colonial Secretary moved that the Question be amended by omitting all the words following "That," with a view to the insertion in their place of the words "this Bill be now re-committed, with a view to the re-consideration and amendment of Sections XIV, XVI, XX, LVIII, LXXXI, and LXXXV."
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question,—That this Bill be now re-committed, with a view to the re-consideration and amendment of sections XIV, XVI, XX, LVIII, LXXXI, and LXXXV,—put and passed,—
Whoroupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
9. Postponement :—The Adoption of the Report from the Committee of the whole Council on the Hawkers' and Pedlers' Bill postponed, on motion of the Colonial Secretary, until to-morrow.
10. Finance, 1849-50 :—On motion of the Colonial Treasurer the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1849-50.
The Chairman reported progress, and obtained leave to sit again to-morrow.
Council adjourned at Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, SEPTEMBER 13.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. THE COLONIAL SECRETARY to move,
 - (1.) That this Council having taken into consideration the Report of the Select Committee appointed to consider and report on the Governor's Message No. 15 and accompanying documents respecting the Dry Dock at Cockatoo Island, adopts the recommendations therein contained.
 - (2.) That an Address be presented to His Excellency the Governor transmitting a copy of the above Resolution, together with a copy of the above mentioned Report, and requesting that His Excellency will take the necessary steps for carrying its recommendations into effect.

ORDERS OF THE DAY :—

1. Consideration of Governor's Message, No. 47, with Quarantine Bill.
2. Consideration of Governor's Message, No. 48, with Police Reward Fund Bill.
3. Consideration of Governor's Message, No. 49, with proposed Additions to the Supplementary Estimate and Estimates of Expenditure for 1849-50.
4. Cumberland County Roads Bill; to be considered in Committee.
5. Departing Vessels Bill; second reading.
6. Hawkers' and Pedlers' Bill Reported; Adoption of the Report.
7. Supplementary Estimate and Estimates of Expenditure for 1849-50; to be further considered in Committee.

FRIDAY, SEPTEMBER 14.

NOTICES OF MOTION.

1. MR. JAMES MACARTHUR to move :—
 - (1.) That according to "the Statistics of New South Wales," compiled from Official Records in the office of the Colonial Secretary, the extent of Vineyards in the Colony in the year 1843, was 512 acres, yielding 33,915 gallons of wine, and 751 gallons of brandy, whilst in the year ending 31st March, 1849, there were 995 acres of Vineyard, yielding 103,606 gallons of wine, and 1,263 gallons of brandy; and from the recent formation of most of the Vineyards, and the very small proportion as yet in full bearing, as well as from the gradual extension of vine culture, there is reason to expect a great and progressive increase in the production of Australian wine.
 - (2.) That if sent to a British market, Australian wine is liable to an import duty of 5s. 6d. per gallon, whereas Cape wine is admitted at a duty of 2s. 9d. per gallon. That this high rate of duty, in a great measure, precludes the shipment of Australian wine to England, and operates as a discouragement to the Australian wine grower,—the more sensibly felt because at variance with the principles which regulate the Commercial Policy of the Empire, and because the Australian Colonies afford a market for British manufactures and produce, to an amount greater in proportion than any other of the Colonial Dependencies of Great Britain, and by the supply of fine wool, are mainly instrumental in enabling the British clothier to maintain a successful competition with the Continent of Europe.
 - (3.) That the inequality of duties, above referred to, is obviously attributable to the fact, that little if any wine was produced in Australia at the time of the passing of the Act of the Imperial Parliament, (1st and 2nd William 4, cap. 30,) which establishes the rate of duties on wines imported into Great Britain, and this Council is of opinion, that it can only be required to bring the subject under the notice of the Imperial Authorities, to ensure the recognition of just principles, and the abolition of a discriminating duty so unfair to the Australian Colonies.
 - (4.) That His Excellency the Governor be respectfully requested to forward these Resolutions to the Right Honorable the Secretary of State for the Colonial Department, with a recommendation that the British Import Duty upon Wines, the produce of the Australian Colonies, be reduced, and that they be admitted into the Home Market upon the most favored footing.
2. MR. MACKINNON to move, That an Address be presented to His Excellency the Governor, requesting that he will cause to be laid on the Table of this House, Returns shewing the aggregate amount of money that has been paid into the Colonial Treasury for Allotments of land in the Town of Geelong; and also Returns showing the amount of money that has been paid out of the Public Funds for the formation or improvement of the streets or public ways in the said Town of Geelong.
3. DR. DICKSON 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 Return of all the Town and Village Reserves in the intermediate districts of Port Phillip, distinguishing those that have been surveyed and are open for sale from those that have not, also shewing the number of allotments applied for to purchase in each, and the date of all the applications that have not been complied with.

4. DR. DICKSON 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 Return shewing the number of lots and total extent of land that has been sold in the intermediate districts of Port Phillip, and that are now open to selection at the upset price, distinguishing country special country and suburban lots and town allotments where any have been sold, and shewing what reserve, if any, has been made for a Town Common in the places where Towns have been surveyed, and whether any portion of land is appropriated as right of Common until required for purchase by purchasers of suburban lots or small special country lots adjoining the several Townships.
5. MR. WENTWORTH to move for leave to bring in a Bill to amend the law of Dower in certain respects.
6. MR. DONALDSON to move for leave to bring in a Bill to amend an Act passed in the tenth year of Her present Majesty Queen Victoria, intituled, "*An Act to consolidate and amend the laws now in force for preventing the extension of the diseases called the Scab and the Influenza or Catarrh in Sheep and Lambs in the Colony of New South Wales.*"
7. MR. NICHOLS to move for leave to bring in a Bill to make further provision for the service of the process of the Supreme Court of New South Wales.
8. MR. MARTIN to move for leave to bring in a Bill to amend an Act, intituled, "*An Act to declare the Town of Sydney to be a City, and to Incorporate the Inhabitants thereof.*"

ORDERS OF THE DAY :—

1. Parish Roads Bill; second reading.
2. Pawnbrokers' Bill; third reading.

TUESDAY, SEPTEMBER 18.

NOTICE OF MOTION :—

1. MR. MACKINNON to move for leave to bring in a Bill to prevent Bounty Immigrants leaving the Colony without refunding their passage money.

ORDERS OF THE DAY :—

1. Geelong Incorporation Bill; second reading.
2. Summary Convictions Bill; to be considered in Committee.
3. Process Bill; second reading.

WEDNESDAY, SEPTEMBER 19.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Slaughter Houses Bill; second reading.
2. Distillation Bill; third reading.

THURSDAY, SEPTEMBER 20.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Publicans' Bill; third reading.

TUESDAY, SEPTEMBER 25.

ORDER OF THE DAY :—

1. Melbourne Building Bill; third reading.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

THURSDAY, 13 SEPTEMBER, 1849.

- 1. Council met pursuant to adjournment ; the Speaker took the Chair. Dry Dock at Cockatoo Island:—The Colonial Secretary moved, pursuant to notice, (1.) That this Council having taken into consideration the Report of the Select Committee appointed to consider and report on the Governor's Message No. 15 and accompanying documents respecting the Dry Dock at Cockatoo Island, adopts the recommendations therein contained. (2.) That an Address be presented to His Excellency the Governor transmitting a copy of the above Resolution, together with a copy of the above mentioned Report, and requesting that His Excellency will take the necessary steps for carrying its recommendations into effect. Question put and passed ; Address to be presented by the Speaker. 2. Quarantine Bill :—The Governor's Message No. 47, received with this Bill on the 11th instant, having been read, on motion of the Colonial Secretary, Bill, intituled, " A Bill further to amend the Law relating to Quarantine in New South Wales," read a first time ; to be read a second time on Wednesday next. 3. Police Reward Fund Bill :—The Governor's Message No. 48, received with this Bill on the 11th instant, having been read, on motion of the Colonial Secretary, Bill, intituled, " A Bill to authorise the imposition of Fines on Members of the Police Force throughout the Colony of New South Wales, and to establish a Fund to be called the " Police Reward Fund," read a first time ; to be read a second time on Wednesday next. 4. Proposed Additions to the Supplementary Estimate and Estimates of Expenditure for 1849-50 :—The Governor's Message No. 49, received on the 11th instant, with a Statement of sums proposed to be added to the Supplementary Estimate and Estimates of Expenditure for the year 1849-50, having been read, on motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof. The Chairman reported progress, and obtained leave further to consider the proposed Additions in Committee on the Supplementary Estimate and Estimates of Expenditure for the year 1849-50. 5. Postponement :—The consideration in Committee of the Cumberland County Roads' Bill postponed, on motion of the Colonial Secretary, until Tuesday next. 6. Departing Vessels' Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof. The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Thursday next. 7. Hawkers and Podlers' Bill Reported :—The Colonial Secretary moved, "That" the Report of this Bill be now adopted. Mr. Martin moved, That the Question be amended by omitting all the words following " That," with a view to the insertion in their place of the words " this Bill be now recommitted, with a view to the reconsideration and amendment of clauses XIX, " XX, XXI, XXIII, XXV, and XXVII, and the Schedules to the Bill." Question,—That the words proposed to be omitted stand part of the Question,—put and negatived. Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed. Question,—That this Bill be now recommitted, with a view to the reconsideration and amendment of Clauses XIX, XX, XXI, XXIII, XXV, and XXVII, and the Schedules to the Bill—put and passed,— Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly. The Chairman having reported the Bill with further amendments,— The Colonial Secretary moved, "That" the Report be now adopted. Mr. Martin moved, That the Question be amended by omitting all the words following " That," with a view to the insertion in their place of the words " the following stand Clause XXVI of the Bill, viz., ' And be it enacted, That all fines penalties " and forfeitures recovered under this Act shall be paid, one-half to the informer or " person suing for the same, and the other half to Her Majesty Her Heirs and " Successors, for the public uses of the said Colony and in support of the Govern- " ment thereof, and shall be applied in such manner as may be appointed by any Act " of the said Governor and Legislative Council.' " Question,—

Question,—

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

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

Question,—That the following stand Clause XXVI of the Bill, viz. :—“ And be it enacted, That all fines penalties and forfeitures recovered under this Act shall be paid, one half to the informer or person suing for the same, and the other half to Her Majesty Her Heirs and Successors, for the public uses of the said Colony and in support of the Government thereof, and shall be applied in such manner as may be appointed by any Act of the said Governor and Legislative Council,”—put and passed.

The Colonial Secretary then moved, That the Report, as so amended, be now adopted. Question put and passed,—

Whereupon, on motion of the Colonial Secretary, Bill, as so amended in the Reported copy, ordered to be engrossed, and read a third time this day week.

8. Finance, 1849-50 :—On motion of the Colonial Treasurer the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1849-50, and the Additions thereto proposed by the Governor's Message No. 49. The Chairman reported progress, and obtained leave to sit again on Wednesday next. Council adjourned at half-past Six o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY,

FRIDAY, SEPTEMBER 14.

NOTICES OF MOTION.

1. MR. JAMES MACARTHUR to move :—
 - (1.) That according to “the Statistics of New South Wales,” compiled from Official Records in the office of the Colonial Secretary, the extent of Vineyards in the Colony in the year 1843, was 512 acres, yielding 33,915 gallons of wine, and 751 gallons of brandy, whilst in the year ending 31st March, 1849, there were 995 acres of Vineyard, yielding 103,606 gallons of wine, and 1,263 gallons of brandy; and from the recent formation of most of the Vineyards, and the very small proportion as yet in full bearing, as well as from the gradual extension of vine culture, there is reason to expect a great and progressive increase in the production of Australian wine.
 - (2.) That if sent to a British market, Australian wine is liable to an import duty of 5s. 6d. per gallon, whereas Cape wine is admitted at a duty of 2s. 9d. per gallon. That this high rate of duty, in a great measure, precludes the shipment of Australian wine to England, and operates as a discouragement to the Australian wine grower,—the more sensibly felt because at variance with the principles which regulate the Commercial Policy of the Empire, and because the Australian Colonies afford a market for British manufactures and produce, to an amount greater in proportion than any other of the Colonial Dependencies of Great Britain, and by the supply of fine wool, are mainly instrumental in enabling the British clothier to maintain a successful competition with the Continent of Europe.
 - (3.) That the inequality of duties, above referred to, is obviously attributable to the fact, that little if any wine was produced in Australia at the time of the passing of the Act of the Imperial Parliament, (1st and 2nd William 4, cap. 30,) which establishes the rate of duties on wines imported into Great Britain, and this Council is of opinion, that it can only be required to bring the subject under the notice of the Imperial Authorities, to ensure the recognition of just principles, and the abolition of a discriminating duty so unfair to the Australian Colonies.
 - (4.) That His Excellency the Governor be respectfully requested to forward these Resolutions to the Right Honorable the Secretary of State for the Colonial Department, with a recommendation that the British Import Duty upon Wines, the produce of the Australian Colonies, be reduced, and that they be admitted into the Home Market upon the most favored footing.
2. MR. MACKINNON to move, That an Address be presented to His Excellency the Governor, requesting that he will cause to be laid on the Table of this House, Returns shewing the aggregate amount of money that has been paid into the Colonial Treasury for Allotments of land in the Town of Geelong; and also Returns showing the amount of money that has been paid out of the Public Funds for the formation or improvement of the streets or public ways in the said Town of Geelong.
3. DR. DICKSON 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 Return of all the Town and Village Reserves in the intermediate districts of Port Phillip, distinguishing those that have been surveyed and are open for sale from those that have not, also shewing the number of allotments applied for to purchase in each, and the date of all the applications that have not been complied with.

- 4. DR. DICKSON 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 Return shewing the number of lots and total extent of land that has been sold in the intermediate districts of Port Phillip, and that are now open to selection at the upset price, distinguishing country special country and suburban lots and town allotments where any have been sold, and shewing what reserve, if any, has been made for a Town Common in the places where Towns have been surveyed, and whether any portion of land is appropriated as right of Common until required for purchase by purchasers of suburban lots or small special country lots adjoining the several Townships.
- 5. MR. WENTWORTH to move for leave to bring in a Bill to amend the law of Dower in certain respects.
- 6. MR. DONALDSON to move for leave to bring in a Bill to amend an Act passed in the tenth year of Her present Majesty Queen Victoria, intituled, "*An Act to consolidate and amend the laws now in force for preventing the extension of the diseases called the Scab and the Influenza or Catarrh in Sheep and Lambs in the Colony of New South Wales.*"
- 7. MR. NICHOLS to move for leave to bring in a Bill to make further provision for the service of the process of the Supreme Court of New South Wales.
- 8. MR. MARTIN to move for leave to bring in a Bill to amend an Act, intituled, "*An Act to declare the Town of Sydney to be a City, and to Incorporate the Inhabitants thereof.*"
- 9. MR. MACKINNON to move, That in addition to the Summary Return of the Revenue and Expenditure of Port Phillip, ordered, on the motion of the Colonial Secretary, to be printed, the detailed Returns on the same subject laid on the Table of this House on the 11th instant be also printed.

ORDERS OF THE DAY :—

- 1. Parish Roads Bill; second reading.
- 2. Pawnbrokers' Bill; third reading.

TUESDAY, SEPTEMBER 18.

NOTICES OF MOTION :—

- 1. MR. MACKINNON to move for leave to bring in a Bill to prevent Bounty Immigrants leaving the Colony without refunding their passage money.
- 2. MR. WENTWORTH to move the following Resolutions :—
 - (1.) That this Council having considered the Despatch from the Right Honorable The Secretary of State for the Colonies (dated April 13, 1848) in reply to His Excellency the Governor's Despatch of October 1, 1847, on the subject of the allowance of a stipend to a Jewish Minister at Sydney, re-affirms the principle laid down by this Council, on the 15th of September, 1846, when an Address was presented to the Governor, praying that His Excellency would be pleased to place on the Estimates of Expenditure a sum not exceeding £200 for the support of a Jewish Minister of Religion.
 - (2.) That religious opinion ought to be no disqualification for the enjoyment of those rights and advantages which the Constitution gives; and that the Members of the Hebrew Faith are entitled, in common with their Christian fellow subjects, to a participation in the benefits conferred by grants from the public revenues for the support of their religious establishments.
 - (3.) That an Address be presented to Her Majesty the Queen, embodying these Resolutions, and praying that Her Majesty will be graciously pleased to authorise His Excellency the Governor to appropriate for a salary for a Jewish Minister the sum of £200 from Schedule C. appended to 5 and 6 Victoria, cap. 76.
 - (4.) That this Address be forwarded to His Excellency the Governor, with a request that His Excellency will be pleased to transmit the same to the Right Honorable the Secretary of State for the Colonies for presentation to Her Majesty.
- 3. MR. MACKINNON to move, That an Address be presented to His Excellency the Governor, requesting that he will cause to be laid on the Table of this House, a Return setting forth the items on which is founded the charge of £86,280, made, in the Return to the Address on the subject of the Revenue and Expenditure of Port Phillip, as "the estimated proportion of the expenses of the General Government, and of other expenses not debited directly to Port Phillip."
- 4. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be placed upon the Estimates for the year 1850 the sum of £150, as an outfit to the new Hospital at Maitland; and also the sum of £100, in addition to the £200 already granted, to meet an equal amount to be raised by private subscription.

ORDERS OF THE DAY :—

- 1. Geelong Incorporation Bill; second reading.
- 2. Summary Convictions Bill; to be considered in Committee.
- 3. Process Bill; second reading.
- 4. Cumberland County Roads Bill; to be considered in Committee.

WEDNESDAY, SEPTEMBER 19.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. THE COLONIAL TREASURER to move for leave to bring in a Bill for applying certain sums arising from the Revenue receivable in New South Wales, to the service thereof, for the year One thousand eight hundred and fifty; and for further appropriating the said Revenue.

ORDERS OF THE DAY :—

1. Slaughter Houses Bill; second reading.
2. Distillation Bill; third reading.
3. Quarantine Bill; second reading.
4. Police Reward Fund Bill; second reading.
5. Supplementary Estimate and Estimates of Expenditure for 1849-50; to be further considered in Committee.

THURSDAY, SEPTEMBER 20.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Publicans' Bill; third reading.
2. Departing Vessels Bill; third reading.
3. Hawkers' and Pedlers' Bill; third reading.

TUESDAY, SEPTEMBER 25.

ORDER OF THE DAY :—

1. Melbourne Building Bill; third reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 14 SEPTEMBER, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Publicans' Bill :—Dr. Dickson presented a Petition from certain Members of the Portland Benevolent Society and other Inhabitants of Portland, alleging that a Member of the Council had proposed an amendment in the LXXXIII Clause of this Bill, with a view to appropriate Drunkards' Fines in Port Phillip to the Charitable Institutions in Melbourne exclusively ; and praying that that portion of the Bill may be rejected which would deprive Portland of all benefit accruing from such Fines.
Dr. Dickson moved That the Petition be received.
Question put and negatived.
2. Bungonia Police :—Mr. Cowper presented a Petition from certain Inhabitants of the District of Bungonia, praying the Council to reconsider their vote on the Estimate for Police in Bungonia and Marulan.
Petition received.
3. Australian Wine :—Mr. James Macarthur moved, pursuant to notice :—
 - (1.) That according to "the Statistics of New South Wales," compiled from Official Records in the office of the Colonial Secretary, the extent of Vineyards in the Colony in the year 1843, was 512 acres, yielding 33,915 gallons of wine, and 751 gallons of brandy, whilst in the year ending 31st March, 1849, there were 995 acres of Vineyard, yielding 103,606 gallons of wine, and 1,263 gallons of brandy ; and from the recent formation of most of the Vineyards, and the very small proportion as yet in full bearing, as well as from the gradual extension of vine culture, there is reason to expect a great and progressive increase in the production of Australian wine.
Question put and passed.
Mr. James Macarthur then moved,—
 - (2.) That if sent to a British market, Australian wine is liable to an import duty of 5s. 6d. per gallon, whereas Cape wine is admitted at a duty of 2s. 9d. per gallon. That this high rate of duty, in a great measure, precludes the shipment of Australian wine to England, and operates as a discouragement to the Australian wine grower,—the more sensibly felt because at variance with the principles which regulate the Commercial Policy of the Empire, and because the Australian Colonies afford a market for British manufactures and produce, to an amount greater in proportion than the other Colonial Dependencies of Great Britain, and by the supply of fine wool, are mainly instrumental in enabling the British clothier to maintain a successful competition with the Continent of Europe.
Question put and passed.
Mr. James Macarthur then moved,—
 - (3.) That the inequality of duties, above referred to, is obviously attributable to the fact, that little if any wine was produced in Australia at the time of the passing of the Act of the Imperial Parliament, (1st and 2nd William 4, cap. 30,) which establishes the rate of duties on wines imported into Great Britain, and this Council is of opinion, that it can only be required to bring the subject under the notice of the Imperial Authorities, to ensure the recognition of just principles, and the abolition of a discriminating duty so unfair to the Australian Colonies.
Question put and passed.
Mr. James Macarthur then moved,—
 - (4.) That His Excellency the Governor be respectfully requested to forward these Resolutions to the Right Honorable the Secretary of State for the Colonial Department with a recommendation that the British Import Duty upon Wines, the produce of the Australian Colonies, be reduced, and that they be admitted into the Home Market upon the most favored footing.
Debate ensued.
Question put and passed ; Address to be presented by the Speaker.
 4. Geelong, Port Phillip :—Mr. Mackinnon moved, pursuant to notice, That an Address be presented to His Excellency the Governor, requesting that he will cause to be laid on the Table of this House, Returns shewing the aggregate amount of money that has been paid into the Colonial Treasury for Allotments of land in the Town of Geelong ; and also Returns shewing the amount of money that has been paid out of the Public Funds for the formation or improvement of the streets or public ways in the said Town of Geelong.
Debate ensued.
Question put and negatived,

5. Town and Village Reserves, Port Phillip :—Dr. Dickson 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, a Return of all the Town and Village Reserves in the intermediate districts of Port Phillip, distinguishing those that have been surveyed and are open for sale from those that have not, also shewing the number of allotments applied for to purchase in each, and the date of all the applications that have not been complied with.
Debate ensued.
Motion by leave withdrawn.
6. Motion withdrawn :—Dr. Dickson withdrew the motion standing in his name fourth on the Notice Paper for to-day
7. Law of Dower Bill :—Mr. Wentworth moved, pursuant to notice, That he have leave to bring in a Bill to amend the Law of Dower in certain respects.
Question put and passed ;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
8. Scab and Catarrh in Sheep Bill :—Mr. Donaldson moved, pursuant to notice, That he have leave to bring in a Bill to amend an Act passed in the tenth year of Her present Majesty Queen Victoria, intituled, "*An Act to consolidate and amend the laws now in force for preventing the extension of the diseases called the Scab and the Influenza or Catarrh in Sheep and Lambs in the Colony of New South Wales.*"
Debate ensued.
Question put and passed ;—*Ordered*, That the Mover and Mr. Dangar prepare and bring in the Bill.
9. Process Bill (2) :—Mr. Nichols moved, That he have leave to bring in a Bill to make further provision for the service of the process of the Supreme Court of New South Wales.
Question put and passed ;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
10. Motion withdrawn :—Mr. Martin withdrew the motion standing in his name eighth on the Notice Paper for to-day.
11. Revenue and Expenditure of Port Phillip :—Mr. Mackinnon moved, pursuant to notice, That in addition to the Summary Return of the Revenue and Expenditure of Port Phillip, ordered, on the motion of the Colonial Secretary, to be printed, the detailed Returns on the same subject laid on the Table of this House on the 11th instant be also printed.
Question put and passed.
12. Leave of absence for three weeks granted to Mr. Hamilton, on motion of the Colonial Secretary.
13. Parish Roads Bill, on motion of Mr. Nichols, on behalf of Mr. Cowper, read a second time ; to be committed this day week.
14. Pawnbrokers' Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Nichols, read a third time, and *passed*.
Mr. Nichols then moved, That the following be the title of the Bill, viz. :—"*An Act for regulating the trade or business of Pawnbrokers in New South Wales.*"
Question put and passed.
Council adjourned at a quarter before Six o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

TUESDAY, SEPTEMBER 18.

NOTICES OF MOTION :—

1. MR. MACKINNON to move for leave to bring in a Bill to prevent Bounty Immigrants leaving the Colony without refunding their passage money.
2. MR. WENTWORTH to move the following Resolutions :—
 - (1.) That this Council having considered the Despatch from the Right Honorable The Secretary of State for the Colonies (dated April 13, 1848) in reply to His Excellency the Governor's Despatch of October 1, 1847, on the subject of the allowances of a stipend to a Jewish Minister at Sydney, re-affirms the principle laid down by this Council, on the 15th of September, 1846, when an Address was presented to the Governor, praying that His Excellency would be pleased to place on the Estimates of Expenditure a sum not exceeding £200 for the support of a Jewish Minister of Religion.
 - (2.) That religious opinion ought to be no disqualification for the enjoyment of those rights and advantages which the Constitution gives ; and that the Members of the Hebrew Faith are entitled, in common with their Christian fellow subjects, to a participation in the benefits conferred by grants from the public revenues for the support of their religious establishments.
 - (3.) That an Address be presented to Her Majesty the Queen, embodying these Resolutions, and praying that Her Majesty will be graciously pleased to authorise His Excellency the Governor to appropriate for a salary for a Jewish Minister the sum of £200 from Schedule C. appended to 5 and 6 Victoria, cap. 76.
 - (4.) That this Address be forwarded to His Excellency the Governor, with a request that His Excellency will be pleased to transmit the same to the Right Honorable the Secretary of State for the Colonies for presentation to Her Majesty.

3. Mr. MACKINNON to move, That an Address be presented to His Excellency the Governor, requesting that he will cause to be laid on the Table of this House, a Return setting forth the items on which is founded the charge of £86,280, made, in the Return to the Address on the subject of the Revenue and Expenditure of Port Phillip, as "the estimated proportion of the expenses of the General Government, and of other expenses not debited directly to Port Phillip."
4. Mr. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be placed upon the Estimates for the year 1850 the sum of £150, as an outfit to the new Hospital at Maitland; and also the sum of £100, in addition to the £200 already granted, to meet an equal amount to be raised by private subscription.
5. THE COLLECTOR OF CUSTOMS to move for leave to bring in a Bill to amend an Act passed in the ninth year of Her Majesty's reign, intituled, "*An Act to provide for the general regulation of the Customs in New South Wales.*"

ORDERS OF THE DAY :—

1. Geelong Incorporation Bill; second reading.
2. Summary Convictions Bill; to be considered in Committee.
3. Process Bill (1); second reading.
4. Cumberland County Roads Bill; to be considered in Committee.

WEDNESDAY, SEPTEMBER 19.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. THE COLONIAL TREASURER to move for leave to bring in a Bill for applying certain sums arising from the Revenue receivable in New South Wales, to the service thereof, for the year One thousand eight hundred and fifty; and for further appropriating the said Revenue.

ORDERS OF THE DAY :—

1. Slaughter Houses Bill; second reading.
2. Distillation Bill; third reading.
3. Quarantine Bill; second reading.
4. Police Reward Fund Bill; second reading.
5. Supplementary Estimate and Estimates of Expenditure for 1849-50; to be further considered in Committee.

THURSDAY, SEPTEMBER 20.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Publicans' Bill; third reading.
2. Departing Vessels Bill; third reading.
3. Hawkers' and Pedlers' Bill; third reading.

FRIDAY, SEPTEMBER 21.

NOTICE OF MOTION.

1. Mr. NICHOLS to move for leave to bring in a Bill for the more effectual prevention of vagrancy, and for the punishment of idle and disorderly persons, rogues, and vagabonds, and incorrigible rogues, in the Colony of New South Wales.

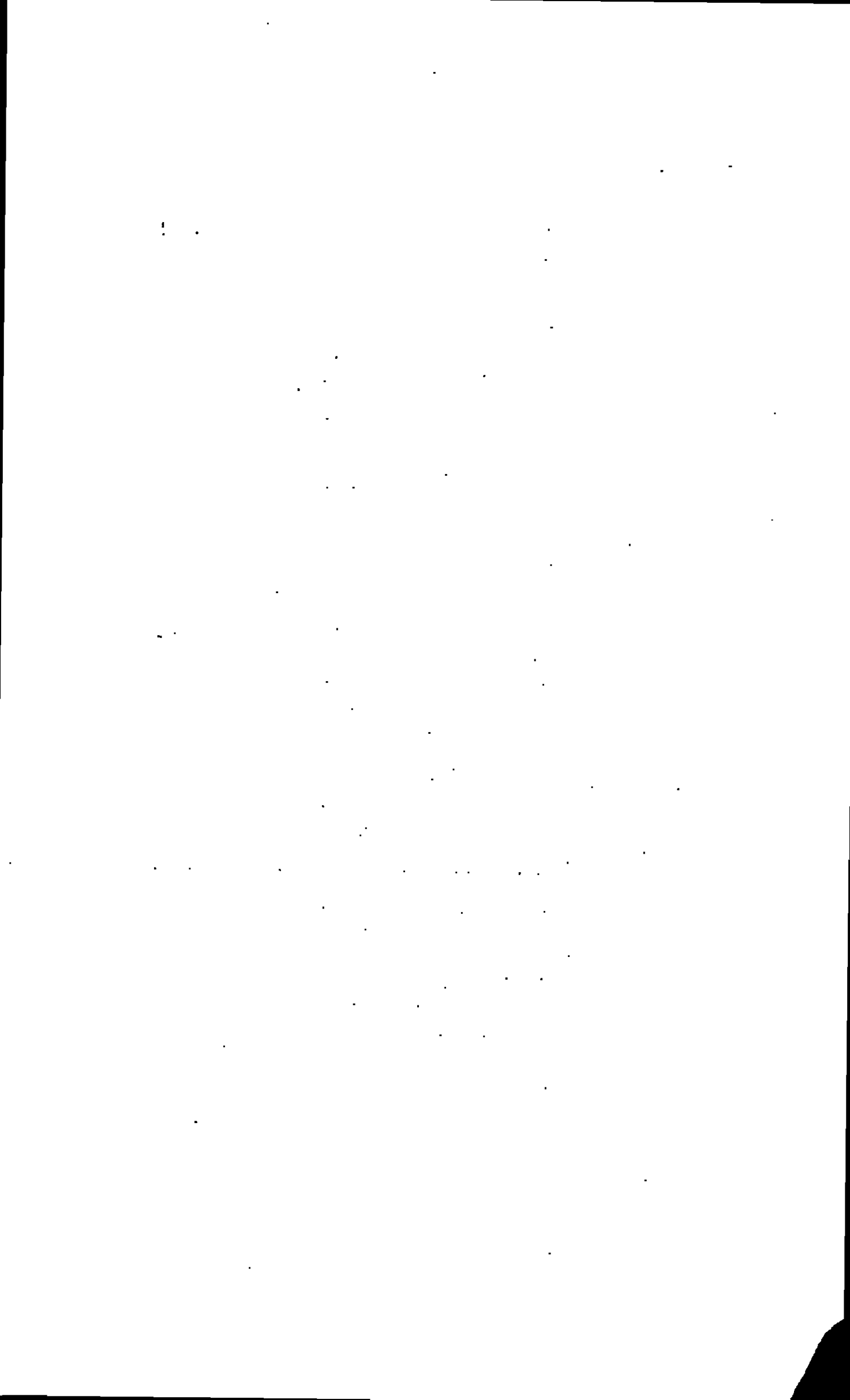
ORDER OF THE DAY :—

1. Parish Roads Bill; to be considered in Committee.

TUESDAY, SEPTEMBER 25.

1. Melbourne Building Bill; third reading.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 18 SEPTEMBER, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Leave of absence for three weeks granted to Mr. Foster, on motion of Mr. Mackinnon.
2. William Henry Wells :—Mr. Nichols presented a Petition from William Henry Wells, compiler of the Geographical Dictionary and Gazetteer of the Australian Colonies, praying the Council to take such steps as to them shall seem expedient for procuring the abolition of the British Import Duty on all works relating exclusively to the moral, social, political, commercial, and geographical position of the Australian Colonies.
Petition received.
3. Common Law Process Bill :—Mr. Nichols having presented this Bill, Bill, intituled, "*A Bill to make further provision for the services of the Process of the Supreme Court of New South Wales,*" read a first time ; ordered to be printed, and read a second time on Friday next.
4. Law of Dower Bill :—Mr. Wentworth having presented this Bill, Bill, intituled, "*A Bill to amend the Law of Dower in certain respects,*" read a first time, and ordered to be printed.
5. Bounty Immigrants' Bill :—Mr. Mackinnon moved, pursuant to notice, That he have leave to bring in a Bill to prevent Bounty Immigrants leaving the Colony without refunding their passage money.
Debate ensued.
Question put and passed ;—*Ordered*, That the Mover and Mr. Wentworth prepare and bring in the Bill.
6. Motion withdrawn : Mr. Wentworth withdrew the motion standing in his name second on the Notice Paper for to-day.
7. Revenue and Expenditure of Port Phillip :—Mr. Mackinnon moved, pursuant to notice, That an Address be presented to His Excellency the Governor, requesting that he will cause to be laid on the Table of this House, a Return setting forth the items on which is founded the charge of £86,280, made, in the Return to the Address on the subject of the Revenue and Expenditure of Port Phillip, as "the estimated proportion of the expenses of the General Government, and of other expenses not debited directly to Port Phillip."
Question put and passed ; Address to be presented by the Speaker.
8. Maitland Hospital :—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be placed upon the Estimates for the year 1850 the sum of £150, as an outfit to the new Hospital at Maitland ; and also the sum of £100, in addition to the £200 already granted, to meet an equal amount to be raised by private subscription.
Debate ensued.
Question put and passed ; Address to be presented by the Speaker.
9. Customs Bill :—The Collector of Customs moved, pursuant to notice, That he have leave to bring in a Bill to amend an Act passed in the ninth year of Her Majesty's reign, intituled, "*An Act to provide for the general regulation of the Customs in New South Wales.*"
Question put and passed ;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
10. Geelong Incorporation Bill :—Dr. Dickson moved, That this Bill be now read a second time.
Debate ensued.
Question put.
Council divided.

Ayes, 8.
Mr. Mackinnon,
Mr. Cooper,
Dr. Dickson,
Mr. Martin,
Mr. Wentworth,
Mr. Moor,
Mr. Nichols,
Mr. Parker, (Teller.)

Noes, 5.
The Colonial Treasurer,
Mr. Lamb,
The Auditor General,
The Collector of Customs,
Mr. J. Macarthur, (Teller.)

Bill read a second time,—
Whereupon Dr. Dickson moved, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for consideration thereof.
Debate ensued.
Motion by leave withdrawn.

Bill

Bill ordered to be committed on Thursday next, after the Government Business shall have been disposed of.

11. Postponement:—The consideration in Committee of the Summary Convictions Bill postponed, on motion of Mr. Martin, until Friday next.
12. Equity Process Bill, (altered from Process Bill (1)) on motion of Mr. Nichols, read a second time; to be committed on Friday next.
13. Postponement:—The consideration in Committee of the Cumberland County Roads Bill postponed, on motion of Mr. James Macarthur, until Thursday next.
Council adjourned at a quarter after Four o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY

WEDNESDAY, SEPTEMBER 19.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. **THE COLONIAL TREASURER** to move for leave to bring in a Bill for applying certain sums arising from the Revenue receivable in New South Wales, to the service thereof, for the year One thousand eight hundred and fifty; and for further appropriating the said Revenue.

ORDERS OF THE DAY:—

1. Slaughter Houses Bill; second reading.
2. Distillation Bill; third reading.
3. Quarantine Bill; second reading.
4. Police Reward Fund Bill; second reading.
5. Supplementary Estimate and Estimates of Expenditure for 1849-50; to be further considered in Committee.

THURSDAY, SEPTEMBER 20.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Publicans' Bill; third reading.
2. Departing Vessels Bill; third reading.
3. Hawkers' and Pedlers' Bill; third reading.
4. Cumberland County Roads Bill; to be considered in Committee.
5. Geelong Incorporation Bill; to be considered in Committee.

FRIDAY, SEPTEMBER 21.

NOTICES OF MOTION.

1. **MR. NICHOLS** to move for leave to bring in a Bill for the more effectual prevention of vagrancy, and for the punishment of idle and disorderly persons, rogues, and vagabonds, and incorrigible rogues, in the Colony of New South Wales.
2. **MR. WENTWORTH** to move for leave to bring in a Bill to incorporate and endow a University, to be called the University of Sydney.

ORDERS OF THE DAY:—

1. Parish Roads Bill; to be considered in Committee.
2. Common Law Process Bill; second reading.
3. Summary Convictions Bill; to be considered in Committee.
4. Equity Process Bill; to be considered in Committee.

TUESDAY, SEPTEMBER 25.

1. Melbourne Building Bill; third reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 19 SEPTEMBER, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Messages :—The following Messages from His Excellency the Governor received and read :—

(1.) Railways.

CH^s A. FITZ ROY,

Message No. 50.

Governor.

In reply to the Address of the Legislative Council of the 28th ultimo, requesting the Governor to take the necessary steps for carrying into effect the recommendations contained in the Report of their Select Committee appointed to consider and report upon the Despatch of Her Majesty's Secretary of State for the Colonies of the 8th February 1849, respecting the introduction of Railways into this Colony, His Excellency has much pleasure in informing the Council that, concurring as he does entirely with the recommendations of this Report, he will take the earliest opportunity of bringing them under the favorable consideration of Her Majesty's Government.

Government House, Sydney,
19th September, 1849.

Ordered to be printed.

(2.) Dry Dock on Cockatoo Island.

CH^s A. FITZ ROY,

Message No. 51.

Governor.

In reply to the Address of the Legislative Council of the 13th instant, requesting the Governor to take immediate steps for carrying into effect the recommendations of the Select Committee on the Dry Dock now in progress at Cockatoo Island, His Excellency begs to inform the Council that he will lose no time in transmitting copies of the Address and Resolutions and of the Report of the Committee for the favorable consideration of Her Majesty's Government.

Government House, Sydney,
19th September, 1849.

Ordered to be printed.

(3.) Intestates' Estates Claims Bill.

CH^s A. FITZ ROY,

Message No. 52.

Governor.

In accordance with the provisions of the Act for the Government of New South Wales, 5th and 6th Victoria, cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill "to provide for the payment of claims on the late Registrar of the Supreme Court of New South Wales, in respect of Intestates' Estates."

It will be perceived by the provisions of this Bill, that it is intended to liquidate these claims rateably out of funds which shall from time to time accrue and remain unclaimed at the credit of Intestates' Estates for a term of not less than six years, saving, however, the rights of any parties who may be able at any subsequent period to make good their claims upon any such Estates.

The extent of the claims against the late Registrar and the principle upon which it is proposed to carry out this measure are so fully detailed in the Preamble and enacting clauses of the Bill, that His Excellency deems it unnecessary here to enter into any farther exposition of the subject.

Government House, Sydney,
19th September, 1849.

Ordered to be printed, together with the accompanying Bill, and taken into consideration this day week.

(4.) Registrar General's Office Abolition Bill.

CH^s A. FITZ ROY,

Message No. 53.

Governor.

In accordance with the provisions of the Act for the Government of New South Wales, 5th and 6th Victoria cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill "to abolish the Office of Registrar General and to transfer the duties thereof to the Prothonotary and Registrar of the Supreme Court."

Government House, Sydney,
19th September, 1849.

Ordered to be printed, together with the accompanying Bill, and taken into consideration this day week.

2. Bountly Immigrants' Bill :—Mr. Mackinnon having *presented* this Bill, Bill, intituled, "*A Bill to prevent Bountly Immigrants leaving the Colony without refunding their 'passage money,'*" read a first time; ordered to be printed, and read a second time on Friday next.
3. Appropriation Bill :—The Colonial Treasurer having, pursuant to notice, moved for and obtained leave to bring in a Bill, intituled, "*A Bill for applying certain sums arising 'from the Revenue receivable in New South Wales, to the service thereof, for the year 'One thousand eight hundred and fifty; and for further appropriating the said 'Revenue,'*" Bill read a first time; ordered to be printed, and read a second time this day week.
4. Portland Bay, Port Phillip :—In reference to a Notice of Motion given to-day by Mr. Lamb, That he would on Tuesday next move that the letter of Mr. James Fawthrop to the Editor of the *Portland Guardian*, ordered to be printed on the 11th instant, on motion of the Honorable the Colonial Secretary, be expunged from the Journals of this House,—
Mr. Martin rose to the point of order whether it was not competent to Mr. Lamb to make this motion at once and without notice,—
Whereupon Mr. Lamb withdrew his Notice of Motion,—
And Moved, That the letter of Mr. James Fawthrop, to the Editor of the *Portland Guardian*, ordered to be printed on the 11th instant, on motion of the Honorable the Colonial Secretary, be expunged from the Journals of this House.
Question put and passed.
5. Revenue from Assessment on Stock and its Appropriation :—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Donaldson, on the 4th instant.
Ordered to be printed.
6. Moreton Bay :—The Colonial Secretary laid upon the Table No. 2 of the Returns enumerated in the Address on this subject, adopted on motion of Colonel Snodgrass, on the 28th ultimo.
Ordered to be printed.
7. Slaughter Houses Bill, on motion of the Colonial Secretary, read a second time; to be committed to-morrow.
8. Distillation Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and *passed*.
The Colonial Secretary then moved, That the following be the title of the Bill, viz. :—
"*An Act to consolidate and amend the Laws relating to the Distillation, Rectifying, and 'Compounding of Spirits, and to authorise and regulate the Warehousing under bond, 'and the exportation, free of Duty, of Spirits distilled within the Colony of New 'South Wales; and to repeal certain Laws relating thereto.'*"
Question put and passed.
9. Quarantine Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
10. Police Reward Fund Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
11. Customs Bill :—The Collector of Customs having *presented* this Bill, Bill, intituled; "*A Bill to amend an Act passed in the ninth year of Her Majesty's Reign, intituled, 'An Act to provide for the general regulation of the Customs in New South Wales,'*" read a first time; ordered to be printed, and read a second time this day week.
12. Finance, 1849-50 :—On motion of the Colonial Treasurer the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1849-50.
The Chairman reported that the Committee had gone through the various items in the Supplementary Estimate for the year 1849, and in the Estimates of Expenditure for the year 1850, and the Additions thereto proposed by the Governor's Message No. 49, and brought up the following Resolutions.
 - (1.) Estimates of Expenditure and Additions thereto for the year 1850.
 - (1.) Resolved, that a sum not exceeding £635 6s. 3d., be appropriated to defray the salaries, allowances, and contingencies of His Excellency the Governor's Establishment, for the year 1850.
 - (2.) Resolved, that a sum not exceeding £3,716 5s. 4d. be appropriated to defray the salaries, allowances, and contingencies of the Legislative Council Establishment, for the year 1850.
 - (3.) Resolved, that a sum not exceeding £5,951 0s. 6d., be appropriated to defray the salaries, allowances, and contingencies of the Sydney Post Office Establishment, for the year 1850.
 - (4.) Resolved, that a sum not exceeding £3,259, be appropriated to defray the salaries, allowances, and contingencies of the Port Phillip Post Office Establishment, for the year 1850.
 - (5.)

- (5.) Resolved, that a sum not exceeding £931 15s., be appropriated to defray the salaries and contingencies of the Colonial Storekeeper's Establishment, for the year 1850.
- (6.) Resolved, that a sum not exceeding 1,335 ls. 3d., be appropriated to defray the salaries and contingencies of the Port Master's Establishment, Sydney, for the year 1850.
- (7.) Resolved, that a sum not exceeding £311, be appropriated to defray the salaries and contingencies of the Telegraph Establishments in the Sydney District, for the year 1850.
- (8.) Resolved, that a sum not exceeding £462 5s., be appropriated to defray the salaries and contingencies of the Light House Establishment at the South Head of Port Jackson, for the year 1850.
- (9.) Resolved, that a sum not exceeding £449 5s., be appropriated to defray the salaries and contingencies of the Floating Light near the entrance to Port Jackson, for the year 1850.
- (10.) Resolved, that a sum not exceeding £74 15s., be appropriated to defray the salary and contingencies of the Establishment of the Pilot in charge of the Basin at Wollongong, for the year 1850.
- (11.) Resolved, that a sum not exceeding £457, be appropriated to defray the salaries and contingencies of the Harbour Master's Establishment at Newcastle, for the year 1850.
- (12.) Resolved, that a sum not exceeding £796 2s. 6d., be appropriated to defray the salaries and contingencies of the Harbour Master's Establishment at Moreton Bay, for the year 1850.
- (13.) Resolved, that a sum not exceeding £1,441 18s. 9d., be appropriated to defray the salaries and contingencies of the Harbour Master's Establishment at Port Phillip, for the year 1850.
- (14.) Resolved, that a sum not exceeding £431 10s., be appropriated to defray the salaries and contingencies of the Light-House Establishment on Gellibrand's Point, Port Phillip, for the year 1850.
- (15.) Resolved, that a sum not exceeding £810 17s. 6d., be appropriated to defray the salaries and contingencies of the Light-House Establishment on Shortland's Bluff, Port Phillip, for the year 1850.
- (16.) Resolved, that a sum not exceeding £822 10s., be appropriated to defray the salaries and allowances of the Light-House Establishment on Cape Otway, Port Phillip, for the year 1850.
- (17.) Resolved, that a sum not exceeding £234 2s. 6d., be appropriated to defray the salaries and contingencies of the Telegraph Establishments at Port Phillip, for the year 1850.
- (18.) Resolved, that a sum not exceeding £1,538 12s. 6d., be appropriated to defray the salaries and contingencies of the Colonial Architect's Establishment, for the year 1850.
- (19.) Resolved, that a sum not exceeding £816 8s. 4d., be appropriated to defray the salaries, allowances, and contingencies of the Establishment of the Clerk of Works at Port Phillip, for the year 1850.
- (20.) Resolved, that a sum not exceeding £406 10s., be appropriated to defray the salaries; allowances, and contingencies of the Establishment of the Superintendent of Bridges at Port Phillip; for the year 1850.
- (21.) Resolved, that a sum not exceeding £964 11s., be appropriated to defray the salaries and contingencies of the Establishment of the Botanic Gardens, Sydney, for the year 1850.
- (22.) Resolved, that a sum not exceeding £393 6s. 3d., be appropriated to defray the salaries and contingencies of the Establishment of the Botanic Garden at Melbourne, Port Phillip, for the year 1850.
- (23.) Resolved, that a sum not exceeding £151 5s., be appropriated to defray the salaries and contingencies of the Establishment for keeping in order the Outer Government Domain, Sydney, for the year 1850.
- (24.) Resolved, that a sum not exceeding £2,285 19s. 3d., be appropriated to defray the salaries, allowances, and contingencies of the Establishment of the Government Printing Office, for the year 1850.
- (25.) Resolved, that a sum not exceeding £300, be appropriated to defray the salaries and contingencies of the Powder Magazine Establishment at Melbourne, Port Phillip, for the year 1850.
- (26.) Resolved, that a sum not exceeding £763 17s. 6d., be appropriated to defray the salaries of Coroners, and of the Clerk to the Coroner of Sydney, in the Sydney District, for the year 1850.
- (27.) Resolved, that a sum not exceeding £179 6s. 3d., be appropriated to defray the salaries of Coroners, and the pay of a Constable to attend the Coroner of Melbourne, in the Port Phillip District, for the year 1850.
- (28.) Resolved, that a sum not exceeding £560, be appropriated to defray the salaries and contingencies of the Protestant Orphan School Establishment at Parramatta, for the year 1850.
- (29.) Resolved, that a sum not exceeding £345, be appropriated to defray the salaries and contingencies of the Roman Catholic Orphan School Establishment at Parramatta, for the year 1850.
- (30.) Resolved, that a sum not exceeding £325, be appropriated to defray the salaries of the Health Officer, and of the Clerk to the Medical Board, Sydney, for the year 1850.

- (31.) Resolved, that a sum not exceeding £1,684 7s. 6d., be appropriated to defray the salaries, allowances, and contingencies of the Lunatic Asylums at Tarban Creek and Parramatta, for the year 1850.
- (32.) Resolved, that a sum not exceeding £592 7s. 6d., be appropriated to defray the salaries, allowances, and contingencies of the Lunatic Asylum at Melbourne, Port Phillip, for the year 1850.
- (33.) Resolved, that a sum not exceeding £308 10s., be appropriated to defray the salaries of the Hospital Establishment, at Port Phillip, for the year 1850.
- (34.) Resolved, that a sum not exceeding £6,599 12s. 6d., be appropriated to defray the salaries and contingencies of the Police Establishment in the City of Sydney, for the year 1850.
- (35.) Resolved, that a sum not exceeding £3,248 15s., be appropriated to defray the salaries and contingencies of the Police Establishment in the City of Melbourne, Port Phillip, for the year 1850.
- (36.) Resolved, that a sum not exceeding £1,293 8s. 9d., be appropriated to defray the salaries and contingencies of the Water Police Establishment, Sydney, for the year 1850.
- (37.) Resolved, that a sum not exceeding £353 10s., be appropriated to defray the salaries and contingencies of the Water Police Establishment, Port Phillip, for the year 1850.
- (38.) Resolved, that a sum not exceeding £20,478 10s., be appropriated to defray the salaries, allowances and contingencies of the Rural Police Establishments within the Settled Districts of the Colony, including the District of Port Phillip, for the year 1850.
- (39.) Resolved, that a sum not exceeding £12,508 2s. 6d., be appropriated to defray the salaries, allowances, and contingencies of the Police Establishments beyond the Settled Districts of the Colony, including the Police Establishments beyond the Settled Districts in the Port Phillip District, for the year 1850.
- (40.) Resolved, that a sum not exceeding £1,147 4s. 9d., be appropriated to defray the salaries and contingencies of the Mounted Police Establishments in the Sydney District, for the year 1850, with the understanding that the office of Commandant and the Establishment at Head Quarters be abolished at the close of the current year, and that the entire Mounted Police Force be abolished at the close of the year 1850.
- (41.) Resolved, that a sum not exceeding £1,769 10s., be appropriated to defray the salaries and allowances of the Native Police Establishment in the Sydney District, for the year 1850.
- (42.) Resolved, that a sum not exceeding £648 12s. 6d., be appropriated to defray the salaries, allowances, and contingencies of the Native Police Establishment in the Port Phillip District, for the year 1850.
- (43.) Resolved, that a sum not exceeding £1,780 15s., be appropriated to defray the salaries and contingencies of the Sydney Gaol Establishment, for the year 1850.
- (44.) Resolved, that a sum not exceeding £836 3s. 9d., be appropriated to defray the salaries and contingencies of the Parramatta Gaol Establishment, for the year 1850.
- (45.) Resolved, that a sum not exceeding £581 8s. 9d., be appropriated to defray the salaries and contingencies of the Bathurst Gaol Establishment, for the year 1850.
- (46.) Resolved, that a sum not exceeding £716 15s., be appropriated to defray the salaries and contingencies of the Maitland Gaol Establishment, for the year 1850.
- (47.) Resolved, that a sum not exceeding £628 8s. 9d., be appropriated to defray the salaries and contingencies of the Goulburn Gaol Establishment, for the year 1850.
- (48.) Resolved, that a sum not exceeding £631 8s. 9d., be appropriated to defray the salaries and contingencies of the Moreton Bay Gaol Establishment, for the year 1850.
- (49.) Resolved, that a sum not exceeding £1,040 6s. 3d., be appropriated to defray the salaries and contingencies of the Melbourne Gaol Establishment, for the year 1850.
- (50.) Resolved, that a sum not exceeding £879 13s. 9d., be appropriated to defray the salaries and contingencies of the Penal Establishment on Cockatoo Island, for the year 1850.
- (51.) Resolved, that a sum not exceeding £2,000, be appropriated to defray the salaries, contingencies, and expense of Barracks and Buildings for a Penal Establishment for one hundred prisoners at Port Phillip, for the year 1850.
- (52.) Resolved, that a sum not exceeding £150, be appropriated to defray the salary of the Colonial Agent General, for the year 1850.
- (53.) Resolved, that a sum not exceeding £400 be appropriated to defray pensions to the Widows of Sir Francis Forbes and Sir James Dowling, late Chief Justices of New South Wales, being £200 each, for the year 1850.
- (54.) Resolved, that a sum not exceeding £100, be appropriated as an allowance to Mr. John Eyre, retired Teacher of the Church of England School at Parramatta, for the year 1850.
- (55.) Resolved, that a sum not exceeding £875, be appropriated to defray the expense of Coroners, exclusive of Establishments, in the Sydney District, for the year 1850.
- (56.) Resolved, that a sum not exceeding £275 be appropriated to defray the expense of Coroners, exclusive of Establishments, in the Port Phillip District, for the year 1850.
- (57.) Resolved, that a sum not exceeding £450, be appropriated for the support of Free Paupers in the Colonial Hospitals, for the year 1850.

- (58.) Resolved, that a sum not exceeding £760, be appropriated in aid of the Sydney Infirmary and Dispensary, on condition of an equal amount being raised by private subscription, for the year 1850.
- (59.) Resolved, that a sum not exceeding £900, be appropriated in aid of the Benevolent Society, Sydney, on condition of a sum to an equal amount being raised by voluntary contribution, for the year 1850.
- (60.) Resolved, that a sum not exceeding £1,800, be appropriated in aid of Hospitals at Parramatta, Windsor, Bathurst, Newcastle, Maitland, Port Macquarie, Brisbane, Goulburn, and Yass, being £200 each, on condition of sums to an equal amount being raised by private subscription, for the year 1850.
- (61.) Resolved, that a sum not exceeding £400, be appropriated in aid of the Hospital at Melbourne, on condition of sums to an equal amount being raised by private subscription, for the year 1850.
- (62.) Resolved, that a sum not exceeding £1,000, be appropriated towards the erection of a Benevolent Asylum at Melbourne, Port Phillip, on condition of an equal amount being raised by private contribution, for the year 1850.
- (63.) Resolved, that a sum not exceeding £1,000 be appropriated towards erecting an Hospital and Benevolent Asylum at Geelong, Port Phillip, on condition of an equal amount being raised by private contribution, for the year 1850.
- (64.) Resolved, that a sum not exceeding £2,100, be appropriated to defray the expense of the Protestant Orphan School at Parramatta, exclusive of the Establishment, for the year 1850.
- (65.) Resolved, that a sum not exceeding £1,155, be appropriated to defray the expense of the Roman Catholic Orphan School at Parramatta, exclusive of the Establishment, for the year 1850.
- (66.) Resolved, that a sum not exceeding £8,350, be appropriated in support of Denominational Schools in the Sydney District, being £4,020 for Church of England Schools, £1,900 for Presbyterian Schools, £570 for Wesleyan Schools, and £1,860 for Roman Catholic Schools, to be respectively expended under the direction of the Denominational School Board, Sydney, for the year 1850.
- (67.) Resolved, that a sum not exceeding £250, be appropriated to defray the expense of the Denominational School Board, Sydney, for the year 1850.
- (68.) Resolved, that a sum not exceeding £1,850, be appropriated in support of Denominational Schools in the Port Phillip District, to be expended under the direction of the Local Board of Inspection, for the year 1850.
- (69.) Resolved, that a sum not exceeding £2,000 be appropriated towards the support of Schools within the Settled Districts of the Colony conducted under Lord Stanley's system of National Education, for the year 1850.
- (70.) Resolved, that a sum not exceeding £3,000, be appropriated for the establishment of Schools beyond the Settled Districts of the Colony conducted under Lord Stanley's System of National Education—being £1,500 for such Schools in the Sydney District, and £1,500 for such Schools in the Port Phillip District, for the year 1850.
- (71.) Resolved, that a sum not exceeding £100, be appropriated to defray the expense of maintaining the Vaccine Institution in the City of Sydney, for the year 1850.
- (72.) Resolved, that a sum not exceeding £2,716 18s. 9d, be appropriated to defray the expense of the Lunatic Asylums at Tarban Creek and Parramatta, exclusive of the Establishments, for the year 1850.
- (73.) Resolved, that a sum not exceeding £916 18s. 9d., be appropriated to defray the expense of the Lunatic Asylum at Melbourne, Port Phillip, exclusive of the Establishment, for the year 1850.
- (74.) Resolved, that a sum not exceeding £130, be appropriated to defray the expense of the Hospital at Melbourne, Port Phillip, exclusive of the Establishment, for the year 1850.
- (75.) Resolved, that a sum not exceeding £200, be appropriated to defray the expense of Police in the City of Sydney, exclusive of the Establishment, for the year 1850.
- (76.) Resolved, that a sum not exceeding £200, be appropriated to defray the expense of Police in the City of Melbourne, Port Phillip, exclusive of the Establishment, for the year 1850.
- (77.) Resolved, that a sum not exceeding £74, be appropriated to defray the expense of the Sydney Water Police, exclusive of the Establishment, for the year 1850.
- (78.) Resolved, that a sum not exceeding £57 10s., be appropriated to defray the expense of the Port Phillip Water Police, exclusive of the Establishment, for the year 1850.
- (79.) Resolved, that a sum not exceeding £1,400 be appropriated to defray the expense of the Rural Police within the Settled Districts in the Sydney District, exclusive of the Establishments, for the year 1850.
- (80.) Resolved, that a sum not exceeding £387, be appropriated to defray the expense of the Rural Police, within the Settled Districts, in the Port Phillip District, exclusive of the Establishments, for the year 1850.
- (81.) Resolved, that a sum not exceeding £2,200, be appropriated to meet the expense of a supply of Clothing from England for the Rural Police within the Settled Districts of the Colony,—being £1,700 for the Rural Police within the Settled Districts in the Sydney District, and £500 for the Rural Police within the Settled Districts in the Port Phillip District, for the year 1850.
- (82.) Resolved, that a sum not exceeding £1,062, be appropriated to defray the expense of Police beyond the Settled Districts in the Sydney District, exclusive of the Establishments, for the year 1850.
- (83.)

- (83.) Resolved, that a sum not exceeding £450, be appropriated to defray the expense of Police beyond the Settled Districts in the Port Phillip District, exclusive of the Establishments, for the year 1850.
- (84.) Resolved, that a sum not exceeding £310, be appropriated to defray the expense of Remount Horses for Police beyond the Settled Districts of the Colony,—being £210 for Remount Horses for Police beyond the Settled Districts in the Sydney District, and £100 for Remount Horses for Police beyond the Settled Districts in the Port Phillip District, for the year 1850.
- (85.) Resolved, that a sum not exceeding £2,166, be appropriated to defray the expense of the Mounted Police in the Sydney District, exclusive of the Establishments, for the year 1850.
- (86.) Resolved, that a sum not exceeding £530, be appropriated to meet the expense of a supply of Clothing ordered from England for the Mounted Police,—being £400 for a supply of Clothing for the Mounted Police in the Sydney District, and £130 for a supply of Clothing for the Mounted Police in the Port Phillip District, for the year 1850.
- (87.) Resolved, that a sum not exceeding £757, be appropriated to defray the expense of the Native Police in the Sydney District, exclusive of the Establishment, for the year 1850.
- (88.) Resolved, that a sum not exceeding £1,935, be appropriated to defray the expense of the Native Police in the Port Phillip District, exclusive of the Establishment, for the year 1850.
- (89.) Resolved, that a sum not exceeding £1,430, be appropriated to defray the expense of the Sydney Gaol, exclusive of the Establishment, for the year 1850.
- (90.) Resolved, that a sum not exceeding £425, be appropriated to defray the expense of the Parramatta Gaol, exclusive of the Establishment, for the year 1850.
- (91.) Resolved, that a sum not exceeding £365, be appropriated to defray the expense of the Bathurst Gaol, exclusive of the Establishment, for the year 1850.
- (92.) Resolved, that a sum not exceeding £370, be appropriated to defray the expense of the Maitland Gaol, exclusive of the Establishment, for the year 1850.
- (93.) Resolved, that a sum not exceeding £302, be appropriated to defray the expense of the Goulburn Gaol, exclusive of the Establishment, for the year 1850.
- (94.) Resolved, that a sum not exceeding £290, be appropriated to defray the expense of the Moreton Bay Gaol, exclusive of the Establishment, for the year 1850.
- (95.) Resolved, that a sum not exceeding £1,240, be appropriated to defray the expense of the Melbourne Gaol, exclusive of the Establishment, for the year 1850.
- (96.) Resolved, that a sum not exceeding £1,840, be appropriated to defray the expense of the Penal Establishment on Cockatoo Island, exclusive of the Establishment, for the year 1850.
- (97.) Resolved, that a sum not exceeding £1,500, be appropriated to meet the expense of a supply of Clothing for Prisoners, for the year 1850.
- (98.) Resolved, that a sum not exceeding £339, be appropriated to defray the Rent of Buildings used for purposes of Police in the Sydney District, for the year 1850.
- (99.) Resolved, that a sum not exceeding £17 10s., be appropriated to defray the Rent of a Building used as a Post Office at Geelong, Port Phillip, for the year 1850.
- (100.) Resolved, that a sum not exceeding £50, be appropriated to meet the Travelling Expenses of the Port Master, for the year 1850.
- (101.) Resolved, that a sum not exceeding £100, be appropriated to meet the Sea Conveyance of Stores to Light Houses at Port Phillip, for the year 1850.
- (102.) Resolved, that a sum not exceeding £130, be appropriated to meet the Travelling Expenses of the Colonial Architect and Officers of his Establishment, for the year 1850.
- (103.) Resolved, that a sum not exceeding £100, be appropriated to meet the Travelling Expenses of the Clerk of Works, Port Phillip, and Officers of his Establishment, for the year 1850.
- (104.) Resolved, that a sum not exceeding £30, be appropriated to meet the Travelling Expenses of the Director of the Botanic Gardens, Sydney, when collecting Plants, Seeds, and Specimens, for the year 1850.
- (105.) Resolved, that a sum not exceeding £20, be appropriated to meet the expense of the Passage of Officers, Servants, and Others, and of the Conveyance of Stores to the Lunatic Asylum at Tarban Creek, for the year 1850.
- (106.) Resolved, that a sum not exceeding £20, be appropriated to meet the expense of conveying Patients to the Lunatic Asylum at Melbourne, Port Phillip, for the year 1850.
- (107.) Resolved, that a sum not exceeding £200, be appropriated to meet the Travelling Expenses of Coroners and Surgeons in the Sydney District, for the year 1850.
- (108.) Resolved, that a sum not exceeding £70, be appropriated to meet the Travelling Expenses of Coroners and Surgeons in the Port Phillip District, for the year 1850.
- (109.) Resolved, that a sum not exceeding £925, be appropriated to defray the expense of the Carriage of Stores, the Escort of Prisoners, and other transport expenses of Police within the Settled Districts in the Sydney District, for the year 1850.
- (110.) Resolved, that a sum not exceeding £470, be appropriated to defray the expense of the Carriage of Stores, the Escort of Prisoners, and other transport expenses of Police within the Settled Districts in the Port Phillip District, for the year 1850.
- (111.) Resolved, that a sum not exceeding £8,557, be appropriated to defray the expense of the conveyance of Mails within the Settled Districts in the Sydney District, for the year 1850.

- (112.) Resolved, that a sum not exceeding £5,595, be appropriated to defray the expense of the conveyance of Mails within the Settled Districts in the Port Phillip District, for the year 1850.
- (113.) Resolved, that a sum not exceeding £4,155, be appropriated to defray the expense of the conveyance of Mails beyond the Settled Districts of the Colony; being £3,155, to defray the expense of the conveyance of Mails beyond the Settled Districts in the Sydney District; and £1,000, to defray the expense of the conveyance of Mails beyond the Settled Districts in the Port Phillip District, for the year 1850.
- (114.) Resolved, that a sum not exceeding £8,000, be appropriated as a contribution towards the expense of Steam Conveyance from and to Singapore and Sydney, for the year 1850.
- (115.) Resolved, that a sum not exceeding £2,000, be appropriated to defray the expense of Public Works in the Sydney District, being £1,000, towards the construction of the Dry Dock on Cockatoo Island, £500, to defray the expense of the employment of the Dredging Machine, and £500, for upholding and keeping in repair the Breakwater at Newcastle, for the year 1850.
- (116.) Resolved, that a sum not exceeding £3,000, be appropriated to defray the expense of Public Buildings in the Sydney District, being the further sum of £2,000, towards erecting a New Treasury and Audit Office, the further sum of £500, towards completing the New Sydney Museum, and the further sum of £500, for the erection of a Paling to enclose the New General Cemetery and the formation of a Road thereto, for the year 1850.
- (117.) Resolved, that a sum not exceeding the further sum of £500, be appropriated towards completing the Prison Buildings at the New Gaol, Sydney, for the year 1850.
- (118.) Resolved, that a sum not exceeding £100, be appropriated to complete the Sea Wall and Salt Water Pond at the western side of the lower Botanic Garden, Sydney, for the year 1850.
- (119.) Resolved, that a sum not exceeding £240, be appropriated for making Drains and fresh Plantations in the Outer Domain, and Improving the Inner Domain, Sydney, for the year 1850.
- (120.) Resolved, that a sum not exceeding £200, be appropriated for expenditure in the Improvement of Hyde Park, Sydney, under the superintendence of the Committee of Management, for the year 1850.
- (121.) Resolved, that a sum not exceeding £1,000, be appropriated towards constructing the works required for supplying Water to the inhabitants of Parramatta, for the year 1850.
- (122.) Resolved, that a sum not exceeding £600, be appropriated to defray the expense of altering the West Wing of the Protestant Orphan School at Parramatta for the reception of Boys,—of enclosing a Yard and Play Ground—and of fitting up an Infirmary and Schoolmaster's Residence, for the year 1850.
- (123.) Resolved, that a sum not exceeding £200, be appropriated to defray the expense of altering the Buildings and Yards of the Female Factory, Parramatta, for the reception of Lunatics from the Asylum at Tarban Creek, for the year 1850.
- (124.) Resolved, that a sum not exceeding £100, be appropriated to defray the expense of repairing Gates and Fences in the Government Domain, Sydney, for the year 1850.
- (125.) Resolved, that a sum not exceeding £823, be appropriated to defray the expense of repairs to Police Buildings in the Sydney District, for the year 1850.
- (126.) Resolved, that a sum not exceeding £20, be appropriated to defray the expense of repairs to the Water Police Buildings, Sydney, for the year 1850.
- (127.) Resolved, that a sum not exceeding £100, be appropriated to defray the expense of repairs to the Mounted Police Barracks and Fences, in the Sydney District, for the year 1850.
- (128.) Resolved, that a sum not exceeding £45, be appropriated to defray the expense of repairs to Gaols in the Sydney District, for the year 1850.
- (129.) Resolved, that a sum not exceeding £2,500, be appropriated to defray the expense of casual repairs, additions, and alterations to Colonial Public Buildings in the Sydney District, for the year 1850.
- (130.) Resolved, that a sum not exceeding £800, be appropriated to defray the expense of providing Furniture for Colonial Public Offices, in the Sydney District, for the year 1850.
- (131.) Resolved, that a sum not exceeding £2,000, be appropriated towards providing a Dredging Machine, Port Phillip, for the year 1850.
- (132.) Resolved, that a sum not exceeding £2,000, be appropriated towards the construction of a Wharf and Jetty at Geelong, Port Phillip, for the year 1850.
- (133.) Resolved, that a sum not exceeding the further sum of £300, be appropriated to defray the expense of extending the Jetty at Warrnambool, Port Phillip, for the year 1850.
- (134.) Resolved, that a sum not exceeding the further sum of £250, be appropriated to defray the expense of extending the Jetty at Williams' Town, Port Phillip, for the year 1850.
- (135.) Resolved, that a sum not exceeding £500, be appropriated to meet the expense of repairs to Public Works, Port Phillip, for the year 1850.
- (136.) Resolved, that a sum not exceeding £2,000, be appropriated to defray the expense of building an additional Wing to the Lunatic Asylum, Port Phillip, for the year 1850.
- (137.) Resolved, that a sum not exceeding the further sum of £400, be appropriated to defray the expense of building enclosing Walls to the Custom House, Melbourne, Port Phillip, for the year 1850.

- (138.) Resolved, that a sum not exceeding £178, be appropriated to defray the expense of additions and alterations, and of erecting a Gauging Shed at the Custom House, Geelong, Port Phillip, for the year 1850.
- (139.) Resolved, that a sum not exceeding £300, be appropriated to defray the expense of erecting Keeper's Quarters at the Light House, Cape Otway, Port Phillip, for the year 1850.
- (140.) Resolved, that a sum not exceeding £180, be appropriated to defray the expense of erecting Cottages in the Botanic Garden, Melbourne, Port Phillip, for the year 1850.
- (141.) Resolved, that a sum not exceeding the further sum of £2,000, be appropriated to defray the expense of building the Gaol at Geelong, Port Phillip, for the year 1850.
- (142.) Resolved, that a sum not exceeding the further sum of £1,000, be appropriated to defray the expense of building the Gaol at Melbourne, Port Phillip, for the year 1850.
- (143.) Resolved, that a sum not exceeding £500, be appropriated to defray the expense of building a Watch House, Market Square, Melbourne, Port Phillip, for the year 1850.
- (144.) Resolved, that a sum not exceeding £500, be appropriated to defray the expense of building a Watch House, Portland; Port Phillip, for the year 1850.
- (145.) Resolved, that a sum not exceeding the further sum of £350, be appropriated to defray the expense of completing the Watch House at Collingwood, Port Phillip, for the year 1850.
- (146.) Resolved, that a sum not exceeding £370, be appropriated to defray the expense of Repairs to Public Buildings and Fences, Port Phillip, for the year 1850.
- (147.) Resolved, that a sum not exceeding £400, be appropriated to defray the expense of Furniture for Public Offices, Port Phillip, for the year 1850.
- (148.) Resolved, that a sum not exceeding the further sum of £1,000, be appropriated towards the erection of the Light-House on Gabo Island, for the year 1850.
- (149.) Resolved, that a sum not exceeding £1,500, be appropriated for constructing, upholding, and repairing the Public Roads Bridges and Ferries on which tolls have been established within the Settled Districts in the Sydney District, for the year 1850.
- (150.) Resolved, that a sum not exceeding £3,000, be appropriated for making and repairing Public Roads and Bridges on which tolls are not collected within the Settled Districts in the Sydney District, for the year 1850.
- (151.) Resolved, that a sum not exceeding £1,000, be appropriated for the construction of a bridge over Wallis's Creek, Maitland, for the year 1850.
- (152.) Resolved, that a sum not exceeding £1,500, be appropriated for the formation of Roads and Bridges beyond the Settled Districts in the Sydney District, for the year 1850.
- (153.) Resolved, that a sum not exceeding £142 10s., be appropriated to defray the expense of lighting the Government lamps in the streets of Sydney, for the year 1850.
- (154.) Resolved, that a sum not exceeding £1,000, be appropriated for making approaches to Prince's Bridge, Melbourne, Port Phillip, for the year 1850.
- (155.) Resolved, that a sum not exceeding £2,000, be appropriated for the formation and improvement of the great lines of public thoroughfare within the Settled Districts in the Port Phillip District, for the year 1850.
- (156.) Resolved, that a sum not exceeding £1,500, be appropriated for the formation of Roads and Bridges beyond the Settled Districts in the Port Phillip District, for the year 1850.
- (157.) Resolved, that a sum not exceeding £500, be appropriated as an allowance to the Honorable Francis Scott, as Agent for the Colony, for the year 1850.
- (158.) Resolved, that a sum not exceeding £850, be appropriated to defray the expense of paper for printing for the public service generally, for the year 1850.
- (159.) Resolved, that a sum not exceeding £150, be appropriated to defray the expense of newspapers for record, and for the Secretary of State, for the year 1850.
- (160.) Resolved, that a sum not exceeding £330, be appropriated to defray the expense of preparing the Electoral lists of the Colony—being £180 for the preparation of the Electoral lists for the Sydney District, and £150 for the preparation of the Electoral lists for the Port Phillip District, for the year 1850.
- (161.) Resolved, that a sum not exceeding £130, be appropriated to defray the expense of compiling Meteorological Tables, being £100 for compiling Meteorological Tables for the Sydney District, and £30 for compiling Meteorological Tables for the Port Phillip District, for the year 1850.
- (162.) Resolved, that a sum not exceeding £210, be appropriated to enable the Reverend W. B. Clarke to publish a Report of his Geological Researches in Australia, illustrated by maps and sections, for the year 1850.
- (163.) Resolved, that a sum not exceeding £50, be appropriated to defray the expense of erecting Pounds, and of allowances to Poundkeepers, for the year 1850.
- (164.) Resolved, that a sum not exceeding £100, be appropriated to defray the expense of erecting Pounds beyond the Settled Districts of the Colony—being £50 for the erection of Pounds beyond the Settled Districts in the Sydney District, and £50 for the erection of Pounds beyond the Settled Districts in the Port Phillip District, for the year 1850.
- (165.) Resolved, that a sum not exceeding £1,500, be appropriated as remuneration to Pilots, for the year 1850.
- (166.) Resolved, that a sum not exceeding £30, be appropriated to defray the expense

of Provisions to be left at Booby Island for the relief of shipwrecked persons, for the year 1850.

(167.) Resolved, that a sum not exceeding £2,000, be appropriated to meet unforeseen expenses, in cases of emergency, and to be hereafter accounted for,—being £1,500 to meet unforeseen expenses in the Sydney District, and £500 to meet unforeseen expenses in the Port Phillip District, for the year 1850.

(168.) Resolved, that a sum not exceeding £1,900, be appropriated to meet Drawbacks and Refund Duties in the Colony,—being £1,700 to meet Drawbacks in the Sydney District, £100 to meet Drawbacks in the Port Phillip District, £50 to meet Refund Duties in the Sydney District, and £50 to meet Refund Duties in the Port Phillip District, for the year 1850.

(169.) Resolved, that a sum not exceeding £300, be appropriated in aid of the Colonial Museum, Sydney, for the year 1850.

(170.) Resolved, that a sum not exceeding £200, be appropriated in aid of the Sydney Mechanics' School of Arts, for the year 1850.

(171.) Resolved, that a sum not exceeding £150, be appropriated in aid of the Mechanics' Institution at Melbourne, Port Phillip, for the year 1850.

(2.) Supplementary Estimate and Additions thereto for 1849.

(1.) Resolved, that a sum not exceeding £700 5s. 4d., be appropriated as compensation for the loss of Pension sustained by the late Alexander M'Leay, Esquire, during the time he held the Office of Speaker of the Legislative Council, from 1st August, 1843, to 19th October, 1846.

(2.) Resolved, that a sum not exceeding £114 12s. 4d., be appropriated to defray the expense of the Conveyance of Mails to and from Sydney and Melbourne, per steamers "Shamrock," "Cornubia," and "Juno," from 1st July, 1845, to 31st December, 1849.

(3.) Resolved, that a sum not exceeding £60, be appropriated to defray the expense of Forage for two Horses for the Superintendent of the Sydney Police, from 1st January to 31st December, 1849.

(4.) Resolved, that a sum not exceeding £30, be appropriated to defray the Traveling and other contingent expenses of the Medical Adviser to the Colonial Government, for the year 1849.

(5.) Resolved, that a sum not exceeding £200, be appropriated in aid of the District Hospital at Port Macquarie, on condition of an equal amount being raised by Private Contribution, for the year 1849.

(6.) Resolved, that a sum not exceeding £50, be appropriated to defray the cost of Stationery and other contingent expenses of the Denominational School Board, Sydney, for the year 1849.

(7.) Resolved, that a sum not exceeding the further sum of £50, be appropriated to defray the expense of providing a Clock for the exterior of the General Post Office, Sydney.

(8.) Resolved, that a sum not exceeding £94 19s. 6d., be appropriated to meet the expense of replacing Buoys in the Harbour of Moreton Bay, and of Anchors, Chains, and other articles, and of the hire of a Schooner.

(9.) Resolved, that a sum not exceeding £138 10s., be appropriated to defray the expense of providing and erecting a new Flag Staff and Semaphore at the Signal Station, Fort Phillip, Sydney.

(10.) Resolved, that a sum not exceeding £50, be appropriated to meet the Traveling Expenses to Van Diemen's Land of the Civil Engineer superintending the construction of the Dry Dock, on Cockatoo Island.

(11.) Resolved, that a sum not exceeding the further sum of £500, be appropriated to defray the expense of completing the Roof of the New Sydney Museum.

(12.) Resolved, that a sum not exceeding £100, be appropriated for providing furniture and fittings, and for introducing Gas into the Government Printing Office.

(13.) Resolved, that a sum not exceeding £100, be appropriated for extending the Sewer and filling in the Ground adjoining the Queen's Wharf, Sydney.

(14.) Resolved, that a sum not exceeding the further sum of £20 7s. 11d., be appropriated for repairing the Government Wharf, at Morpeth.

(15.) Resolved, that a sum not exceeding £83, be appropriated to defray the expense of constructing Drains at the Brisbane Ferries, in order to draw the rush of water from the landing places.

(16.) Resolved, that a sum not exceeding £600, be appropriated for repairing and upholding the Breakwater at Newcastle.

(17.) Resolved, that a sum not exceeding £375, be appropriated for the repair of the Blue Mountain Road, being the amount of the Rent of the Toll Gate at Seventeen Mile Hollow.

(18.) Resolved, that a sum not exceeding £600, be appropriated for the repair of the Cowpasture and Campbell Town Roads, being £430 for the repair of the Cowpasture Road, and £170 for the repair of the Campbell Town Road.

(19.) Resolved, that a sum not exceeding the further sum of £40, be appropriated to complete the repairs of Gates and Fences in the Botanic Gardens and Inner Domain, Sydney.

(20.) Resolved, that a sum not exceeding the further sum of £30, be appropriated to continue the repairs of the Roads and Walks in the Outer Domain, Sydney.

(21.) Resolved, that a sum not exceeding £100, be appropriated for expenditure, under the superintendence of the Committee of Management, in the improvement of Hyde Park, Sydney.

(22.) Resolved, that a sum not exceeding £1,500, be appropriated in aid of providing Steam Conveyance from and to Singapore and Sydney, being at the rate of £500 per month, from the 1st October to the 31st December, 1849.

(23.) Resolved, that a sum not exceeding £100, be appropriated to meet the expense of erecting a Tablet in St. James' Church, Sydney, to the memory of the late Mr. Assistant Surveyor E. B. Kennedy.

(24.) Resolved, that a sum not exceeding £794 6s. 6d., be appropriated in aid of the Sydney Infirmary and Dispensary, an equal amount having been raised by Private Contribution in the year 1848.

(25.) Resolved, that a sum not exceeding £100, be appropriated in aid of the Experimental Silk Institution, Sydney, on condition of an equal amount being raised by Private Contribution.

(26.) Resolved, that a sum not exceeding £150, be appropriated to meet the expense of additional Compositors and Pressmen in the Government Printing Establishment, Sydney.

(27.) Resolved, that a sum not exceeding the further sum of £170 2s., be appropriated to defray the expense of additional Oil for Cape Otway Light, Port Phillip.

(28.) Resolved, that a sum not exceeding £30, be appropriated to defray the Salary of the Secretary to the Denominational School Board, Port Phillip, for the year 1849.

(29.) Resolved, that a sum not exceeding the further sum of £3,000, be appropriated towards completing Prince's Bridge, Port Phillip.

(30.) Resolved, that a sum not exceeding £280, be appropriated to defray the expense of additional Foundations for the Light House on Gellibrand's Point, Port Phillip.

(31.) Resolved, that a sum not exceeding £100, be appropriated as additional remuneration to the Overseer of the works on Cape Otway Light House, Port Phillip.

(32.) Resolved, that a sum not exceeding £3,352 19s. 8d., be appropriated to meet the deficiency in the amount voted for the Erection of Light Houses in Bass's Straits.

(33.) Resolved, that a sum not exceeding the further sum of £30, be appropriated for providing a Clock for the Post Office, Melbourne, Port Phillip.

(34.) Resolved, that a sum not exceeding £200, be appropriated as a Donation in aid of the Geelong Mechanics' Institution.

(35.) Resolved, that a sum not exceeding the further sum of £200, be appropriated towards the maintenance of the Melbourne Hospital, on condition of an equal sum being raised by Private Contribution.

(36.) Resolved, that a sum not exceeding £20, be appropriated as remuneration to the Clerk of the Returning Officer, for compiling the Electoral Lists, Port Phillip, for the year 1848-9.

The Colonial Treasurer moved, That these several Resolutions be now agreed to.

Debate ensued.

Question put and passed.

Council adjourned at half-past Four o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, SEPTEMBER 20.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Publicans' Bill ; third reading.
2. Departing Vessels Bill ; third reading.
3. Hawkers' and Pedlers' Bill ; third reading.
4. Cumberland County Roads Bill ; to be considered in Committee.
5. Slaughter Houses Bill ; to be considered in Committee.
6. Geelong Incorporation Bill ; to be considered in Committee.

FRIDAY, SEPTEMBER 21.

NOTICES OF MOTION.

1. Mr. NICHOLS to move for leave to bring in a Bill for the more effectual prevention of vagrancy, and for the punishment of idle and disorderly persons, rogues, and vagabonds, and incorrigible rogues, in the Colony of New South Wales.
2. Mr. WENTWORTH to move for leave to bring in a Bill to incorporate and endow a University, to be called the University of Sydney.
3. Mr. MOOR to move for leave to bring in a Bill for regulating the formation, drainage, and repair of streets and alleys on private property within the City of Melbourne.

ORDERS OF THE DAY :—

1. Parish Roads Bill ; to be considered in Committee.
2. Common Law Process Bill ; second reading.
3. Summary Convictions Bill ; to be considered in Committee.
4. Equity Process Bill ; to be considered in Committee.
5. Bounty Immigrants' Bill ; second reading.

TUESDAY,

TUESDAY, SEPTEMBER 25.

1. Melbourne Building Bill ; third reading.
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WEDNESDAY, SEPTEMBER 26.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Message, No. 52, with Intestates' Estates Claims Bill.
2. Consideration of Governor's Message, No. 53, with Registrar General's Office Abolition Bill.
3. Appropriation Bill ; second reading.
4. Quarantine Bill ; third reading.
5. Police Reward Fund Bill ; third reading.
6. Customs Bill ; second reading.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 20 SEPTEMBER, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Wollombi and Macdonald River :—Mr. Dangar presented a Petition from certain landed proprietors, householders, and other inhabitants of the united Police Districts of Wollombi and Macdonald River, praying the Council to reconsider their vote in reference to the Salary proposed for the Police Magistrate there.
Petition received.
2. Publicans' Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill,—
The Colonial Secretary moved, "That" this Bill be now read a third time.
Mr. Martin moved, That the Question be amended, by omitting all the words following " That" with a view to the insertion in their place of the words " this Bill be now recommitted with a view to the reconsideration and amendment of clause LXVII." Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted—put and passed.
Question,—That this Bill be now recommitted with a view to the reconsideration and amendment of clause LXVII—put and passed,—
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill, as so further amended, to be re-engrossed, and read a third time to-morrow.
3. Departing Vessels Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and *passed*.
The Colonial Secretary then moved that the following be the title of the Bill, viz. :—
" *An Act to amend the Law relating to Vessels about to leave the Colony of New South Wales.*"
Question put and passed.
4. Hawkers' and Pedlers' Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and *passed*.
The Colonial Secretary then moved that the following be the title of the Bill, viz. :—
" *An Act to repeal the Laws relating to Hawkers and Pedlers in the Colony of New South Wales ; and to substitute other provisions in lieu thereof.*"
Question put and passed.
5. Cumberland County Roads Bill :—On motion of the Colonial Secretary the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
6. Postponement :—The consideration in Committee of the Slaughter Houses Bill postponed, on motion of The Colonial Secretary, until Wednesday next.
7. Geelong Incorporation Bill :—On motion of Dr. Dickson the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Tuesday next.
Council adjourned at a quarter before Six o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, SEPTEMBER 21.

NOTICES OF MOTION.

1. MR. NICHOLS to move for leave to bring in a Bill for the more effectual prevention of vagrancy, and for the punishment of idle and disorderly persons, rogues, and vagabonds, and incorrigible rogues, in the Colony of New South Wales.
2. MR. WENTWORTH to move for leave to bring in a Bill to incorporate and endow a University, to be called the University of Sydney.
3. MR. MOOR to move for leave to bring in a Bill for regulating the formation, drainage, and repair of streets and alleys on private property within the City of Melbourne.

ORDERS OF THE DAY :—

1. Parish Roads Bill; to be considered in Committee.
2. Common Law Process Bill; second reading.
3. Summary Convictions Bill; to be considered in Committee.
4. Equity Process Bill; to be considered in Committee.
5. Bounty Immigrants' Bill; second reading.
6. Publicans' Bill; third reading.

TUESDAY, SEPTEMBER 25.

NOTICE OF MOTION :—

1. MR. MACKINNON to move, That this Council having taken into consideration the Returns of the Revenue and Expenditure of the District of Port Phillip, laid on the Table of the House by the Colonial Secretary, Resolves,—
 - (1.) That in the opinion of this Council, Port Phillip, from its great distance from the seat of central Government, at Sydney, ought never to have been connected, either territorially or financially, with the older Colony of New South Wales Proper; an opinion fully borne out by the fact, that it was found necessary, as early as 1839, to establish there branches of almost every department of the public service existing in Sydney.
 - (2.) That from its first settlement in 1836 (by Colonists from Van Diemen's Land) up to the present time, the unparalleled prosperity of Port Phillip is mainly ascribable to the direct introduction of labor, capital, and stock from Great Britain and Van Diemen's Land; and that Port Phillip, therefore, is not a natural extension of the Colony of New South Wales.
 - (3.) That so far from Port Phillip ever having been a burden in any way to New South Wales, it is the deliberate opinion of this Council, that very great benefit was conferred on the latter by the ready and highly profitable market that was for many years supplied for its surplus stock, by the former.
 - (4.) That in the opinion of this Council a settlement so situated and so formed, had a clear and manifest claim in justice to the exclusive use of all revenues raised within itself.
 - (5.) That this Council in the name and on behalf of the inhabitants of New South Wales Proper, disclaims all participation in the unjustifiable spoliation to which they see by the said Returns the District of Port Phillip has been subjected—a spoliation unheard of in the annals of any Colony, unsanctioned by any precedent, and as repugnant to correct principle as it has been unjust and oppressive in practice.
 - (6.) That as well to do an act of common justice to the inhabitants of Port Phillip, as to vindicate the character of New South Wales Proper from imputations of an unpleasant nature, which under existing circumstances may fairly attach to it, this Council declares it to be its deliberate opinion, that the sum of £266,882 2s. 6½d., shewn by the said Returns to be the excess of Revenue over Expenditure in the said District of Port Phillip, from its first settlement in 1836, up to 31st December, 1848, together with all balances that may accrue from 1st January, 1849, up to the final separation of Port Phillip from New South Wales Proper, be paid back to the said District of Port Phillip, out of the General and Territorial Revenues of New South Wales Proper, in the exact proportions in which each of these has been benefitted by the surplus Revenues of Port Phillip.
 - (7.) That the foregoing Resolutions be embodied in an humble Address to the Queen, praying that She may be graciously pleased to give the necessary instructions for carrying out the views of this Council as therein expressed.
 - (8.) That His Excellency the Governor be requested to forward the Address to the Queen, and to recommend the prayer of it.

ORDERS OF THE DAY :—

1. Melbourne Building Bill; third reading.
2. Geelong Incorporation Bill; to be further considered in Committee.

WEDNESDAY

WEDNESDAY, SEPTEMBER 26.

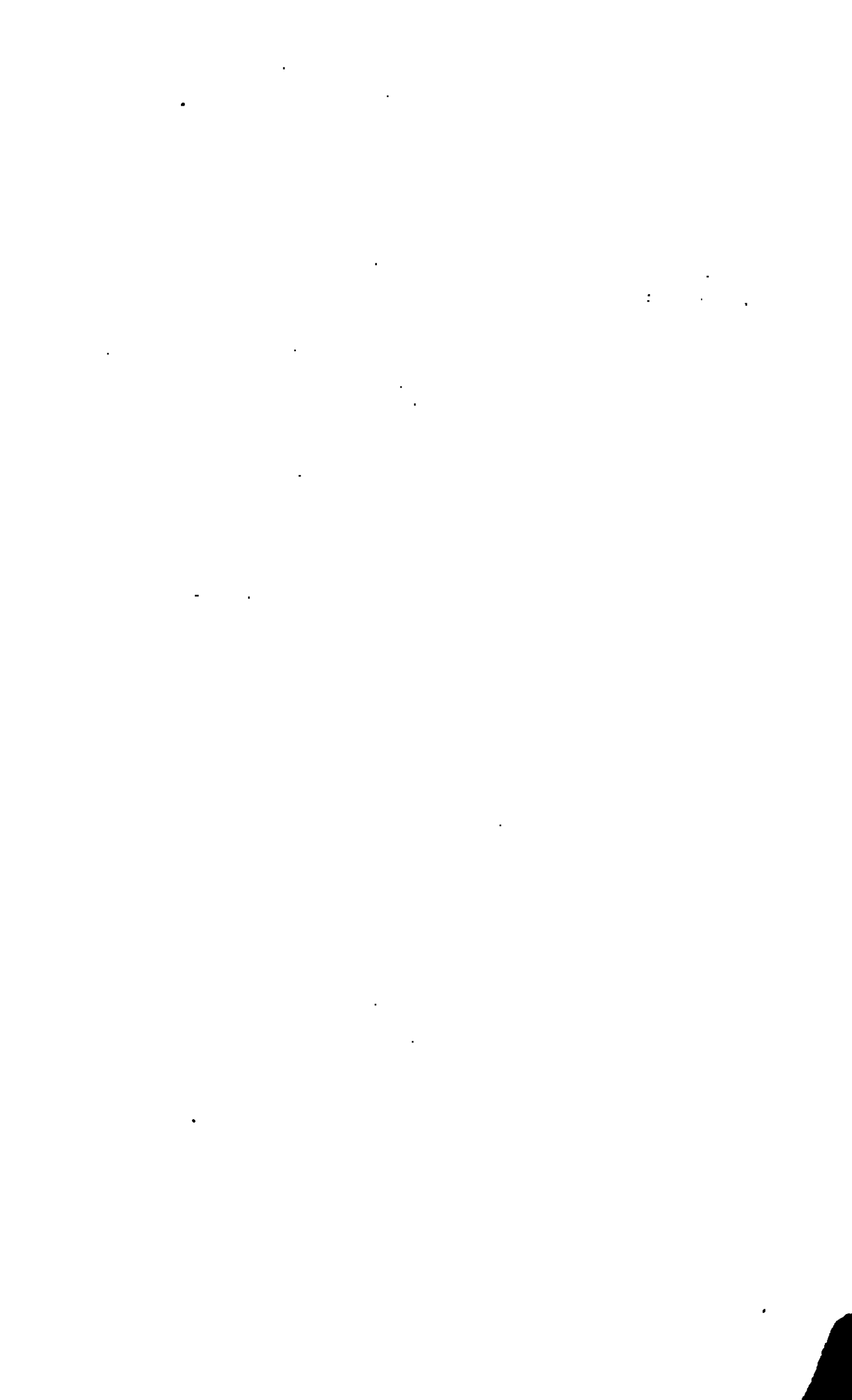
GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. THE COLONIAL SECRETARY to move.—
 - (1.) That this Council having taken into consideration the Report of the Select Committee appointed on the 9th August, 1849, to report upon the several provisions of the Postage Bill, adopts the recommendations therein contained.
 - (2.) That an Address be presented to His Excellency the Governor, transmitting a copy of the above Resolution, together with a copy of the Report alluded to, and requesting that His Excellency will take the necessary steps for carrying its recommendations into effect.
2. THE COLONIAL SECRETARY to move, That this Council do now resolve itself into a Committee of the whole Council, for consideration of the Postage Bill.

ORDERS OF THE DAY :—

1. Consideration of Governor's Message, No. 52, with Intestates' Estates Claims Bill.
2. Consideration of Governor's Message, No. 53, with Registrar General's Office Abolition Bill.
3. Appropriation Bill ; second reading.
4. Quarantine Bill ; third reading.
5. Police Reward Fund Bill ; third reading.
6. Customs Bill ; second reading.
7. Cumberland County Roads Bill ; to be further considered in Committee.
8. Slaughter Houses Bill ; to be considered in Committee.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 21 SEPTEMBER, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Vagrancy Bill :—Mr. Nichols moved, pursuant to notice, That he have leave to bring in a Bill for the more effectual prevention of vagrancy, and for the punishment of idle and disorderly persons, rogues, and vagabonds, and incorrigible rogues, in the Colony of New South Wales.
Question put and passed ;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
2. Postponement :—Mr. Wentworth postponed the motion standing in his name second on the Notice Paper for to-day, until Tuesday next.
3. Sydney University, (altered from Sydney College) :—Mr. Wentworth, as Chairman, brought up the Report from the Select Committee appointed on the 6th instant, to inquire into and to report upon the best means of instituting a University for the promotion of literature and science to be endowed at the public expense.
Ordered to be printed.
4. Melbourne Streets and Alleys Bill :—Mr. Moor moved, pursuant to notice, That he have leave to bring in a Bill for regulating the formation, drainage, and repair of streets and alleys on private property within the City of Melbourne.
Debate ensued.
Question put and passed ;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
5. Education :—Mr. Cooper presented a Petition from certain Roman Catholic Inhabitants of Queanbeyan and its vicinity, praying that the funds to be appropriated for Denominational Education, may be distributed among the Denominations according to their respective numbers.
Petition received.
6. Nisi Prins Cases :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject adopted on motion of Mr. Hamilton, on the 29th June last.
Ordered to be printed.
7. Parish Roads Bill :—On motion of Mr. Nichols, on behalf of Mr. Cowper, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Tuesday next.
8. Common Law Process Bill :—Mr. Nichols moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time ; to be committed on Tuesday next.
9. Summary Convictions Bill :—On motion of Mr. Martin, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Tuesday next.
10. Equity Process Bill :—On motion of Mr. Nichols the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Tuesday next.
11. Postponement :—The second reading of the Bounty Immigrants Bill postponed, on motion of Mr. Mackinnon, until Tuesday next.
12. Publicans' Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Attorney General, read a third time, and *passed*.
The Attorney General then moved, That the following be the title of the Bill, viz. :—“ *An Act to consolidate and amend the laws relating to the Licensing of Public Houses, and to regulate the sale of fermented and spirituous liquors in New South Wales.* ”
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, SEPTEMBER 25.

NOTICE OF MOTION :—

- I. MR. MACKINNON to move, That this Council having taken into consideration the Returns of the Revenue and Expenditure of the District of Port Phillip, laid on the Table of the House by the Colonial Secretary, Resolves,—
- (1.) That in the opinion of this Council, Port Phillip, from its great distance from the seat of central Government, at Sydney, ought never to have been connected, either territorially or financially, with the older Colony of New South Wales Proper; an opinion fully borne out by the fact, that it was found necessary, as early as 1839, to establish there branches of almost every department of the public service existing in Sydney.
 - (2.) That from its first settlement in 1836 (by Colonists from Van Diemen's Land) up to the present time, the unparalleled prosperity of Port Phillip is mainly ascribable to the direct introduction of labor, capital, and stock from Great Britain and Van Diemen's Land; and that Port Phillip, therefore, is not a natural extension of the Colony of New South Wales.
 - (3.) That so far from Port Phillip ever having been a burden in any way to New South Wales, it is the deliberate opinion of this Council, that very great benefit was conferred on the latter by the ready and highly profitable market that was for many years supplied for its surplus stock, by the former.
 - (4.) That in the opinion of this Council a settlement so situated and so formed, had a clear and manifest claim in justice to the exclusive use of all revenues raised within itself.
 - (5.) That this Council in the name and on behalf of the inhabitants of New South Wales Proper, disclaims all participation in the unjustifiable spoliation to which they see by the said Returns the District of Port Phillip has been subjected—a spoliation unheard of in the annals of any Colony, unsanctioned by any precedent, and as repugnant to correct principle as it has been unjust and oppressive in practice.
 - (6.) That as well to do an act of common justice to the inhabitants of Port Phillip, as to vindicate the character of New South Wales Proper from imputations of an unpleasant nature, which under existing circumstances may fairly attach to it, this Council declares it to be its deliberate opinion, that the sum of £266,882 2s. 6½d., shewn by the said Returns to be the excess of Revenue over Expenditure in the said District of Port Phillip, from its first settlement in 1836, up to 31st December, 1848, together with all balances that may accrue from 1st January, 1849, up to the final separation of Port Phillip from New South Wales Proper, be paid back to the said District of Port Phillip, out of the General and Territorial Revenues of New South Wales Proper, in the exact proportions in which each of these has been benefitted by the surplus Revenues of Port Phillip.
 - (7.) That the foregoing Resolutions be embodied in an humble Address to the Queen, praying that She may be graciously pleased to give the necessary instructions for carrying out the views of this Council as therein expressed.
 - (8.) That His Excellency the Governor be requested to forward the Address to the Queen, and to recommend the prayer of it.
2. MR. WENTWORTH to move for leave to bring in a Bill to Incorporate and Endow a University, to be called the University of Sydney.
3. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to recommend to this House the insertion in the Bill for incorporating and endowing a University, to be called the University of Sydney, the money or endowment clauses suggested in the Report of the Select Committee appointed to inquire into and to report upon the best means of instituting a University for the promotion of literature and science to be endowed at the public expense—such suggestion being that £5,000 a year be appropriated from the General Revenue as a fund for Salaries, a library, and other necessary annual expenses; and £30,000 as a fund for the building of the said University, with an understanding that His Excellency is to be empowered, if it be necessary, to issue Debentures for the latter amount secured on the General Revenue.

ORDERS OF THE DAY :—

1. Melbourne Building Bill; third reading.
2. Geelong Incorporation Bill; to be further considered in Committee.
3. Parish Roads Bill; to be further considered in Committee.
4. Common Law Process Bill; to be considered in Committee.
5. Summary Convictions Bill; to be further considered in Committee.
6. Equity Process Bill; third reading.
7. Bounty Immigrants' Bill; second reading.

WEDNESDAY, SEPTEMBER 26.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. THE COLONIAL SECRETARY to move.—
(1.) That this Council having taken into consideration the Report of the Select Committee appointed on the 9th August, 1849, to report upon the several provisions of the Postage Bill, adopts the recommendations therein contained.

(2.)

(2.) That an Address be presented to His Excellency the Governor, transmitting a copy of the above Resolution, together with a copy of the Report alluded to, and requesting that His Excellency will take the necessary steps for carrying its recommendations into effect.

- 2. THE COLONIAL SECRETARY to move, That this Council do now resolve itself into a Committee of the whole Council, for consideration of the Postage Bill.

ORDERS OF THE DAY :—

- 1. Consideration of Governor's Message, No. 52, with Intestates' Estates Claims Bill.
- 2. Consideration of Governor's Message, No. 53, with Registrar General's Office Abolition Bill.
- 3. Appropriation Bill ; second reading.
- 4. Quarantine Bill ; third reading.
- 5. Police Reward Fund Bill ; third reading.
- 6. Customs Bill ; second reading.
- 7. Cumberland County Roads Bill ; to be further considered in Committee.
- 8. Slaughter Houses Bill ; to be considered in Committee.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 25 SEPTEMBER, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Berrima Police:—Mr. Nichols presented a Petition from certain Inhabitants of the Town and District of Berrima, praying the Council to reconsider their vote in reference to the Police of that District.
Petition received.
2. Motion withdrawn :—Mr. Wentworth withdrew the motion standing in his name third on the Notice Paper for to-day, substituting notice of another motion for to-morrow.
3. Exiles to Port Phillip :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Mackinnon, on the 12th June last.
Ordered to be printed.
4. John Moring :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Cowper, on the 11th instant.
5. Education :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table a further Return to the Address on this subject, adopted on motion of Mr. Wentworth, on the 21st ultimo—having reference to the District of Port Phillip.
Ordered to be printed.
6. Thomas Howe :—Mr. Darvall presented a Petition from Thomas Howe, complaining of having been undeservedly dismissed from his situation of Court and Watch House Keeper by the Police Magistrate of the Wollombi and Macdonald River District, in March, 1847, and praying redress.
Petition received.
7. Motion withdrawn :—Mr. Mackinnon withdrew the motion standing in his name first on the Notice Paper for to-day.
8. Postponement :—Mr. Wentworth postponed the motion standing in his name second on the Notice Paper for to-day, until Friday next.
9. Melbourne Streets and Alleys Bill :—Mr. Moor having presented this Bill, Bill, intituled, "*A Bill for regulating the formation, drainage, and repair of streets and alleys on private property within the City of Melbourne,*" read a first time; ordered to be printed, and read a second time on Friday next.
10. Melbourne Building Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Moor, read a third time, and passed.
Mr. Moor then moved, That the following be the title of the Bill, viz. :—"*An Act for regulating Buildings and Party Walls, and for preventing mischief by fire in the City of Melbourne.*"
Question put and passed.
11. Geelong Incorporation Bill :—On motion of Dr. Dickson the Speaker left the Chair, and 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, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Friday next.
12. Parish Roads Bill :—Mr. Nichols moved, on behalf of Mr. Cowper, that the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of this Bill.
Debate ensued.
Question put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into Committee of the whole accordingly.
The Chairman reported progress, and obtained leave to sit again this day six months.
13. Common Law Process Bill :—On motion of Mr. Nichols the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Friday next.

14. **Summary Convictions Bill** :—On motion of Mr. Martin the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.

The Chairman reported progress, and obtained leave to sit again on Friday next.

15. **Equity Process Bill** :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Nichols, read a third time, and *passed*.

Mr. Nichols then moved, That the following be the title of the Bill, viz. :—“ *An Act to effectuate the service of Process issuing from the Supreme Court in its Equitable Jurisdiction.*”

Question put and passed.

16. **Bounty Immigrants' Bill** :—Mr. Mackinnon moved, That this Bill be now read a second time.

Debate ensued.

The Attorney General moved the previous question.

Debate continued.

Previous Question put, “ Shall this Question be now put ? ”

Council divided.

Ayes, 6.

Mr. Wentworth,
Mr. Lowe,
Mr. Fitzgerald,
Mr. Dangar,
Mr. Berry,
Mr. Mackinnon, (Teller.)

Noes, 8.

Mr. Martin, . .
Dr. Dickson,
Mr. Oakes,
Mr. Nichols,
Mr. Cooper,
The Auditor General,
The Attorney General,
Mr. Parker, (Teller.)

Council adjourned at half-past Seven o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, SEPTEMBER 26.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. **THE COLONIAL SECRETARY** to move.—

(1.) That this Council having taken into consideration the Report of the Select Committee appointed on the 9th August, 1849, to report upon the several provisions of the Postage Bill, adopts the recommendations therein contained.

(2.) That an Address be presented to His Excellency the Governor, transmitting a copy of the above Resolution, together with a copy of the Report alluded to, and requesting that His Excellency will take the necessary steps for carrying its recommendations into effect.

2. **THE COLONIAL SECRETARY** to move, That this Council do now resolve itself into a Committee of the whole Council, for consideration of the Postage Bill.

ORDERS OF THE DAY :—

1. Consideration of Governor's Message, No. 52, with Intestates' Estates Claims Bill.
2. Consideration of Governor's Message, No. 53, with Registrar General's Office Abolition Bill.
3. Appropriation Bill ; second reading.
4. Quarantine Bill ; third reading.
5. Police Reward Fund Bill ; third reading.
6. Customs Bill ; second reading.
7. Cumberland County Roads Bill ; to be further considered in Committee.
8. Slaughter Houses Bill ; to be considered in Committee.

OTHER BUSINESS—NOTICE OF MOTION.

1. **MR. WENTWORTH** to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to recommend to this House the insertion in the Bill for incorporating and endowing a University, to be called the University of Sydney, the permanent endowment clause suggested in the Report of the Select Committee appointed to inquire into and to report upon the best means of instituting a University for the promotion of literature and science to be endowed at the public expense—such suggestion being that £5,000 a year be appropriated from the General Revenue as a fund for Salaries, a library, and other necessary annual expenses.

FRIDAY,

FRIDAY, SEPTEMBER 28.

NOTICES OF MOTION :—

1. MR. DONALDSON to move, That this Council having duly considered the subject of the establishment of Steam Communication with the Mother Country, and having reviewed the following facts :—
 That a Committee of this Council reported upon this subject in the Session of 1846, and agreed to a vote of £500 per month for three years towards the establishment of Steam Communication with Europe by way of Singapore.
 That the Lords of the Treasury, as well as the Lords of the Admiralty, and especially Admiral Beaufort, then Hydrographer to the Admiralty, recommended the same route, and arrived at the same conclusions as the Committee of this Council on the mode of carrying out this object.
 That a Committee of this Council again reported upon the subject in the Session of 1848—and resolutions favorable to the same views were unanimously agreed to by this Council at the close of the same Session.
 That this Report and these Resolutions have been acknowledged by the Right Honorable the Secretary of State for the Colonies, in his Despatch dated 28th December, 1848.
 That the Revenue derivable from Postage on letters and newspapers between the United Kingdom and the Australian Colonies, even under the slow and unsatisfactory packet system which existed in 1846, as shewn by an estimate prepared by Her Majesty's Postmaster General, Lord Clanricarde, dated December of that year, amounted to £14,799 14s. 4d.; and that this sum, added to the amount voted by this Council, (namely, £6000 per annum for three years,) would afford an *annual Revenue* of upwards of £20,700, which, it is reasonable to assume, would be materially increased by the facilities afforded by Steam Communication with Home,—
 This Council does now resolve :—
 (1.) That notwithstanding the foregoing facts, and the expectations raised by the Secretary of State in the Despatch of the date above referred to, this Council sees no prospect of receiving the benefit of Steam Communication with the Mother Country, within a reasonable time.
 (2.) That this Council, therefore, in common with the whole community of New South Wales, entertains a feeling of disappointment and mortification that a measure of such vital importance to the Colony should have been so long delayed, and that so little apparent earnestness should have been evinced by the Home Authorities for its accomplishment.
 (3.) That a Petition be forwarded to Her Most Gracious Majesty the Queen, embodying the foregoing Resolutions, and praying that Her Majesty will graciously direct that steps be taken to accomplish this great object : And that an Address be presented to His Excellency the Governor, requesting that he will forward the same to the Secretary of State for the Colonies for presentation to Her Majesty.
2. MR. WENTWORTH to move for leave to bring in a Bill to Incorporate and Endow a University, to be called the University of Sydney.
3. MR. NICHOLS to move for leave to bring in a Bill to regulate Distresses for Rent.

ORDERS OF THE DAY :—

1. Melbourne Streets and Alleys Bill ; second reading.
2. Geelong Incorporation Bill ; third reading.
3. Common Law Process Bill ; third reading.
4. Summary Convictions Bill ; to be further considered in Committee.

TUESDAY, OCTOBER 2.

NOTICE OF MOTION :—

1. MR. DARVALL to move, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to add one additional Constable to the Police Establishment at Frederick's Valley, provided for by the Appropriation passed for 1850.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 26 SEPTEMBER, 1849.

- 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.) Mr. Deas Thomson's Marriage Settlement Bill.
 - (2.) Gunpowder Keeping Bill.
 - (3.) Standard Weights and Measures Bill.
 - (4.) Spirits' Duties Protection Bill.

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

(1.) Maitland Hospital.

CH^S. A. FITZ ROY,
Governor.

Message No. 54.

In reply to the Address of the Legislative Council of the 18th instant, requesting that a sum may be placed on the Estimates as an outfit and in aid of the new Hospital at Maitland, the Governor has to express his regret that the late period at which this request has been made will preclude his acceding to it during the present Session ; but His Excellency will be prepared to take it into his favorable consideration when the Estimates for the next Session are in course of preparation.

*Government House, Sydney,
26th September, 1849.*

Ordered to be printed.

(2.) Electoral Lists Bill.

CH^S. A. FITZ ROY,
Governor.

Message No. 55.

In accordance with the provisions of the Act for the Government of New South Wales 5 and 6 Victoria Cap. 76 the Governor transmits to the Legislative Council the Draft of a Bill " For giving further time to prepare and revise certain Lists of persons entitled to vote at the Election of Members of the Legislative Council."

2. The necessity for this measure has arisen chiefly from the circumstance that no revision has taken place this year of the Electoral Roll for the Electoral District of St. Vincent and Auckland so far as regards the Police District of Broulee.

*Government House, Sydney,
26th September, 1849.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration to-morrow.

(3.) Proposed alterations in the Constitution.

CH^S. A. FITZ ROY,
Governor.

Message No. 56.

The Governor avails himself of an early opportunity of placing before the Legislative Council the Copy of a Despatch from Her Majesty's Secretary of State for the Colonies, transmitting to His Excellency a Report of the Committee of Her Majesty's Privy Council for Trade and Plantations on the subject of the Proposed Bill for the separation of Port Phillip from New South Wales, and the extension of Representative Institutions to Van Diemen's Land and South Australia.

*Government House, Sydney,
26th September, 1849.*

Ordered to be printed, together with the accompanying Documents.

(4.) Road from Sydney to Wollombi.

CH^s. A. FITZ ROY,

Governor.

Message No. 57.

In reply to the Address of the Legislative Council of the 24th ultimo, requesting that a sum not exceeding five hundred pounds may be placed on the Supplementary Estimate for 1849, for the purpose of opening and improving the direct road from Sydney to Wollombi via "Peat's Ferry," the Governor informs the Council that as the line of this road leads almost entirely through lands the property of the Crown His Excellency proposes to appropriate from the Land fund a sum for this purpose.

Government House, Sydney,
26th September, 1849.

Ordered to be printed.

3. Postage upon Newspapers :—Mr. Cooper presented a Petition from certain Members of the Sydney Mechanics' School of Arts and others against the imposition of postage upon Newspapers conveyed *bona fide* for Literary and Scientific Societies. Petition received.
4. Vagrancy Bill :—Mr. Nichols having presented this Bill, intitled, "*A Bill for the more effectual prevention of Vagrancy, and for the punishment of idle and disorderly persons, rogues and vagabonds and incorrigible rogues, in the Colony of New South Wales,*" read a first time; ordered to be printed, and read a second time on Tuesday next.
5. Uniform Postage :—The Colonial Secretary moved, pursuant to notice,—

(1.) That this Council having taken into consideration the Report of the Select Committee appointed on the 9th August, 1849, to report upon the several provisions of the Postage Bill, adopts the recommendations therein contained.

(2.) That an Address be presented to His Excellency the Governor, transmitting a copy of the above Resolution, together with a copy of the Report alluded to, and requesting that His Excellency will take the necessary steps for carrying its recommendations into "effect."

Mr. Martin moved as an amendment, That after the word "effect," at the end of the second Resolution, there be added the words "except so much thereof as recommends "the imposition of a postage upon Newspapers."

Debate ensued.

Question put on the proposed amendment.

Council divided.

Ayes, 5.

Mr. Mackinnon,
Mr. Nichols,
Mr. Oakes,
Dr. Dickson,
Mr. Martin, (Teller.)

Noes, 13.

Mr. Moor,
Mr. Dangar,
Mr. Cooper,
The Colonial Treasurer,
Mr. Fitzgerald,
Mr. Wentworth,
The Colonial Secretary,
Mr. Berry,
Mr. Parker,
Mr. Allen,
The Collector of Customs,
The Auditor General,
Mr. Donaldson, (Teller.)

Original Question put and passed; Address to be presented by the Speaker.

6. Postage Bill :—The Colonial Secretary moved, pursuant to notice, That this Council do now resolve itself into a Committee of the whole Council for consideration of this Bill.

Question put and passed.

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

The Chairman having reported the Bill with amendments,—

The Colonial Secretary moved, "That" the Report be now adopted.

Mr. Nichols moved, That the Question be amended by omitting all the words following the word "That" with a view to the insertion in their place of the words "Clause XVII be expunged, and the following Clause inserted in its place, viz. :—'And be it enacted, That Members of the Executive and Legislative Councils may receive by the Post Petitions and Addresses to Her Majesty and His Excellency the Governor, and Petitions addressed to either the Executive or Legislative Council, not exceeding thirty-two ounces in weight, exempt from Postage; provided such Petitions and Addresses be sent without covers, or in covers open at the sides.'"

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

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

Question—That Clause XVII be expunged, and the following Clause inserted in its place, viz. :—"And be it enacted, That Members of the Executive and Legislative Councils may receive by the Post Petitions and Addresses to Her Majesty and His Excellency the Governor, and Petitions addressed to either the Executive or Legislative Council, not exceeding thirty-two ounces in weight; exempt from Postage; provided such Petitions and Addresses be sent without covers, or in covers open at the sides,"—put and passed.

The

The Colonial Secretary moved, That the Report, as so amended, be now adopted.

Question put and passed:

The Colonial Secretary then moved, That the Bill, as so amended in the reported Copy, be engrossed, and read a third time this day week.

Question put and passed.

7. Intestates' Estates Claims Bill :—The Governor's Message, No. 52, received with this Bill on the 19th instant, having been read, on motion of the Colonial Secretary, Bill, intituled, "*A Bill to provide for the payment of claims on the late Registrar of the Supreme Court of New South Wales, in respect of Intestates' Estates,*" read a first time; to be read a second time to-morrow.
8. Registrar General's Office Abolition Bill :—The Governor's Message No. 53, received with this Bill on the 19th instant, having been read on motion of the Colonial Secretary,—
The Colonial Secretary moved, That the Bill which accompanied the Message be now read a first time.
Debate ensued.
Question put and passed.
Whereupon, Bill, intituled, "*A Bill to abolish the Office of Registrar General, and to transfer the duties thereof to the Prothonotary and Registrar of the Supreme Court,*" read a first time; to be read a second time to-morrow.
9. Appropriation Bill, having been read a second time, on motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time to-morrow.
10. Quarantine Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and passed.
The Colonial Secretary then moved, That the following be the title of the Bill, viz. :—"*An Act further to amend the law relating to Quarantine in New South Wales.*"
Question put and passed.
11. Police Reward Fund Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and passed.
The Colonial Secretary then moved, That the following be the title of the Bill, viz. :—"*An Act to authorise the imposition of fines on Members of the Police Force throughout the Colony of New South Wales, and to establish a fund to be called 'The Police Reward Fund.'*"
Question put and passed.
12. Customs Bill, having been read a second time, on motion of the Collector of Customs, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with amendments,—
The Collector of Customs moved, "That" the Report be now adopted.
Mr. Nichols moved, That the Question be amended by omitting all the words following the word "That," with a view to the insertion in their place of the words, "in clause IV, the words 'nor less than ten pounds,' in the last line, be omitted."
Question,—That the words proposed to be omitted stand part of the Question—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted—put and passed.
Question,—That in clause IV, the words "nor less than ten pounds," in the last line, be omitted—put and passed.
The Collector of Customs moved, That the Report, as so amended, be now adopted.
Question put and passed.
The Collector of Customs then moved, That the Bill, as so amended in the reported copy, be engrossed, and read a third time on Wednesday next.
Question put and passed.
13. Postponements :
 - (1.) The further consideration in Committee of the Cumberland County Roads Bill postponed, on motion of the Colonial Secretary, until to-morrow.
 - (2.) The consideration in Committee of the Slaughter Houses Bill postponed, on motion of the Colonial Secretary, until to-morrow.
14. Sydney University :—Mr. Wentworth moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he will be pleased to recommend to this House the insertion in the Bill for incorporating and endowing a University, to be called the University of Sydney, the permanent endowment clause suggested in the Report of the Select Committee appointed to inquire into and to report upon the best means of instituting a University for the promotion of literature and science to be endowed at the public expense—such suggestion being that £5,000 a year be appropriated from the General Revenue as a fund for Salaries, a library, and other necessary annual expenses.
Question put and passed; Address to be presented by the Speaker.
Council adjourned at half-past Seven o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, SEPTEMBER 27.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Message, No. 55, with Electoral Lists Bill.
2. Intestates' Estates Claims Bill; second reading.
3. Registrar General's Office Abolition Bill; second reading.
4. Appropriation Bill; third reading.
5. Cumberland County Roads Bill; to be further considered in Committee.
6. Slaughter Houses Bill; to be considered in Committee.

FRIDAY, SEPTEMBER 28.

NOTICES OF MOTION :—

1. **MR. DONALDSON** to move, That this Council having duly considered the subject of the establishment of Steam Communication with the Mother Country, and having reviewed the following facts :—

That a Committee of this Council reported upon this subject in the Session of 1846, and agreed to a vote of £500 per month for three years towards the establishment of Steam Communication with Europe by way of Singapore.

That the Lords of the Treasury, as well as the Lords of the Admiralty, and especially Admiral Beaufort, then Hydrographer to the Admiralty, recommended the same route, and arrived at the same conclusions as the Committee of this Council on the mode of carrying out this object.

That a Committee of this Council again reported upon the subject in the Session of 1848—and resolutions favorable to the same views were unanimously agreed to by this Council at the close of the same Session.

That this Report and these Resolutions have been acknowledged by the Right Honorable the Secretary of State for the Colonies, in his Despatch dated 28th December, 1848.

That the Revenue derivable from Postage on letters and newspapers between the United Kingdom and the Australian Colonies, even under the slow and unsatisfactory packet system which existed in 1846, as shewn by an estimate prepared by Her Majesty's Postmaster General, Lord Clanricarde, dated December of that year, amounted to £14,799 14s. 4d.; and that this sum, added to the amount voted by this Council, (namely, £6000 per annum for three years,) would afford an *annual Revenue* of upwards of £20,700, which, it is reasonable to assume, would be materially increased by the facilities afforded by Steam Communication with Home,—

This Council does now resolve :—

- (1.) That notwithstanding the foregoing facts, and the expectations raised by the Secretary of State in the Despatch of the date above referred to, this Council sees no prospect of receiving the benefit of Steam Communication with the Mother Country, within a reasonable time.
 - (2.) That this Council, therefore, in common with the whole community of New South Wales, entertains a feeling of disappointment and mortification that a measure of such vital importance to the Colony should have been so long delayed, and that so little apparent earnestness should have been evinced by the Home Authorities for its accomplishment.
 - (3.) That a Petition be forwarded to Her Most Gracious Majesty the Queen, embodying the foregoing Resolutions, and praying that Her Majesty will graciously direct that steps be taken to accomplish this great object : And that an Address be presented to His Excellency the Governor, requesting that he will forward the same to the Secretary of State for the Colonies for presentation to Her Majesty.
2. **MR. WENTWORTH** to move for leave to bring in a Bill to Incorporate and Endow a University, to be called the University of Sydney.
 3. **MR. NICHOLS** to move for leave to bring in a Bill to regulate Distresses for Rent.

ORDERS OF THE DAY :—

1. Melbourne Streets and Alleys Bill; second reading.
2. Geelong Incorporation Bill; third reading.
3. Common Law Process Bill; third reading.
4. Summary Convictions Bill; to be further considered in Committee.

TUESDAY, OCTOBER 2.

NOTICE OF MOTION :—

1. **MR. DARVALL** to move, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to add one additional Constable to the Police Establishment at Frederick's Valley, provided for by the Appropriation passed for 1850.

ORDER OF THE DAY :—

1. Vagrancy Bill; second reading.

WEDNESDAY, OCTOBER 3.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Postage Bill; third reading.
2. Customs Bill; third reading.

CHARLES NICHOLSON,
Speaker.

No. 76.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 27 SEPTEMBER, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Assent to Bill :—The Speaker reported that His Excellency the Governor had been pleased to give the Royal Assent to the Distillation Bill.
2. Revenue and Expenditure of Port Phillip :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Mackinnon, on the 18th instant.
Ordered to be printed.
3. Electoral Lists' Bill :—The Governor's Message No. 55, received with this Bill yesterday, having been read, on motion of the Colonial Secretary, Bill, intituled, "*A Bill for giving further time to prepare and revise certain lists of persons entitled to vote at the election of Members of the Legislative Council,*" read a first time ; to be read a second time on Wednesday next.
4. Intestates' Estates Claims Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Wednesday next.
5. Registrar General's Office abolition Bill :—The Colonial Secretary moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed ; Bill read a second time :—
Whereupon, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
6. Appropriation Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Treasurer, read a third time, and passed.
The Colonial Treasurer then moved, That the following be the title of the Bill, viz. :—
"*An Act for applying certain sums arising from the Revenue receivable in New South Wales, to the service thereof, for the year one thousand eight hundred and fifty, and for further appropriating the said Revenue.*"
Question put and passed.
7. Postponement :—The further consideration in Committee of the Cumberland County Roads Bill postponed, on motion of the Colonial Secretary, until Wednesday next.
8. Slaughter Houses Bill :—On motion of the Colonial Secretary the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
Council adjourned at a quarter before Six o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, SEPTEMBER 28.

NOTICES OF MOTION :—

1. Mr. DONALDSON to move, That this Council having duly considered the subject of the establishment of Steam Communication with the Mother Country, and having reviewed the following facts :—
That a Committee of this Council reported upon this subject in the Session of 1846, and agreed to a vote of £500 per month for three years towards the establishment of Steam Communication with Europe by way of Singapore.
That the Lords of the Treasury, as well as the Lords of the Admiralty, and especially Admiral Beaufort, then Hydrographer to the Admiralty, recommended the same route, and arrived at the same conclusions as the Committee of this Council on the mode of carrying out this object.

That

That a Committee of this Council again reported upon the subject in the Session of 1848—and resolutions favorable to the same views were unanimously agreed to by this Council at the close of the same Session.

That this Report and these Resolutions have been acknowledged by the Right Honorable the Secretary of State for the Colonies, in his Despatch dated 28th December, 1848.

That the Revenue derivable from Postage on letters and newspapers between the United Kingdom and the Australian Colonies, even under the slow and unsatisfactory packet system which existed in 1846, as shown by an estimate prepared by Her Majesty's Postmaster General, Lord Clanricarde, dated December of that year, amounted to £14,799 14s. 4d.; and that this sum, added to the amount voted by this Council, (namely, £6000 per annum for three years,) would afford an *annual Revenue* of upwards of £20,700, which, it is reasonable to assume, would be materially increased by the facilities afforded by Steam Communication with Home,—

This Council does now resolve:—

- (1.) That notwithstanding the foregoing facts, and the expectations raised by the Secretary of State in the Despatch of the date above referred to, this Council sees no prospect of receiving the benefit of Steam Communication with the Mother Country, within a reasonable time.
 - (2.) That this Council, therefore, in common with the whole community of New South Wales, entertains a feeling of disappointment and mortification that a measure of such vital importance to the Colony should have been so long delayed, and that so little apparent earnestness should have been evinced by the Home Authorities for its accomplishment.
 - (3.) That a Petition be forwarded to Her Most Gracious Majesty the Queen, embodying the foregoing Resolutions, and praying that Her Majesty will graciously direct that steps be taken to accomplish this great object: And that an Address be presented to His Excellency the Governor, requesting that he will forward the same to the Secretary of State for the Colonies for presentation to Her Majesty.
2. MR. WENTWORTH to move for leave to bring in a Bill to Incorporate and Endow a University, to be called the University of Sydney.
 3. MR. NICHOLS to move for leave to bring in a Bill to regulate Distresses for Rent.

ORDERS OF THE DAY:—

1. Melbourne Streets and Alleys Bill; second reading.
2. Geelong Incorporation Bill; third reading.
3. Common Law Process Bill; third reading.
4. Summary Convictions Bill; to be further considered in Committee.

TUESDAY, OCTOBER 2.

NOTICE OF MOTION:—

1. MR. DARVALL to move, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to add one additional Constable to the Police Establishment at Frederick's Valley, provided for by the Appropriation passed for 1850.

ORDER OF THE DAY:—

1. Vagrancy Bill; second reading.

WEDNESDAY, OCTOBER 3.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Postage Bill; third reading.
2. Customs Bill; third reading.
3. Electoral Lists Bill; second reading.
4. Intestates' Estates Claims Bill; third reading.
5. Registrar General's Office Abolition Bill; to be further considered in Committee.
6. Cumberland County Roads Bill; to be further considered in Committee.
7. Slaughter Houses Bill; to be further considered in Committee.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 28 SEPTEMBER, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Transportation :—Mr. Mackinnon presented a Petition from the Mayor of Melbourne, on behalf of certain Inhabitants of Port Phillip in Public Meeting assembled, against the resumption of Transportation to the Australian Colonies.
Petition received.
2. Steam Communication :—Mr Donaldson moved, pursuant to notice, That this Council having duly considered the subject of the establishment of Steam Communication with the Mother Country, and having reviewed the following facts :—
That a Committee of this Council reported upon this subject in the Session of 1846, and agreed to a vote of £500 per month for three years towards the establishment of Steam Communication with Europe by way of Singapore.
That the Lords of the Treasury, as well as the Lords of the Admiralty, and especially Admiral Beaufort, then Hydrographer to the Admiralty, recommended the same route, and arrived at the same conclusions as the Committee of this Council on the mode of carrying out this object.
That a Committee of this Council again reported upon the subject in the Session of 1848—and resolutions favorable to the same views were unanimously agreed to by this Council at the close of the same Session.
That this Report and these Resolutions have been acknowledged by the Right Honorable the Secretary of State for the Colonies, in his Despatch dated 28th December, 1848.
That the Revenue derivable from Postage on letters and newspapers between the United Kingdom and the Australian Colonies, even under the slow and unsatisfactory packet system which existed in 1846, as shewn by an estimate prepared by Her Majesty's Postmaster General, Lord Clanricarde, dated December of that year, amounted to £14,799 14s. 4d. ; and that this sum, added to the amount voted by this Council, (namely, £6000 per annum for three years,) would afford an *annual Revenue* of upward of £20,700, which, it is reasonable to assume, would be materially increased by the facilities afforded by Steam Communication with Home,
This Council does now resolve :—
(1.) That notwithstanding the foregoing facts, and the expectations raised by the Secretary of State in the Despatch of the date above referred to, this Council sees no prospect of receiving the benefit of Steam Communication with the Mother Country, within a reasonable time.
(2.) That this Council, therefore, in common with the whole community of New South Wales, entertains a feeling of disappointment and mortification that a measure of such vital importance to the Colony should have been so long delayed, and that so little apparent earnestness should have been evinced by the Home Authorities for its accomplishment.
(3.) That a Petition be forwarded to Her Most Gracious Majesty the Queen, embodying the foregoing Resolutions, and praying that Her Majesty will graciously direct that steps be taken to accomplish this great object : And that an Address be presented to His Excellency the Governor, requesting that he will forward the same to the Secretary of State for the Colonies for presentation to Her Majesty.
Question put and passed : Address to be presented by the Speaker.
3. Sydney University Bill :—Mr. Wentworth moved, pursuant to notice, That he have leave to bring in a Bill to Incorporate and Endow a University, to be called the University of Sydney.
Question put and passed ;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
4. Postponement :—Mr. Martin, on behalf of Mr. Nichols, postponed the motion standing in the name of Mr. Nichols third on the Notice Paper for to-day, until Tuesday next.
5. Melbourne Streets and Alleys Bill :—Mr. Moor moved, That this Bill be now read a second time.
Debate ensued on the point of Order whether the Bill be not in the nature of a Private Bill,—and the Speaker having ruled that the Bill must be so considered,—
Motion by leave withdrawn.
Whereupon Mr. Moor moved, That the Order for the second reading of the Bill be discharged from the Paper.
Question put and passed.

6. **Geelong Incorporation Bill**:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Dr. Dickson, read a third time, and *passed*.
Dr. Dickson then moved, That the following be the title of the Bill, viz., "*An Act to incorporate the Inhabitants of the Town of Geelong, and to extend and apply thereto the Laws now in force for the regulation of the Corporation of Melbourne.*"
Question put and passed.
7. **Common Law Process Bill**:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Martin, on behalf of Mr. Nichols, read a third time, and *passed*.
Mr. Martin then moved, That the following be the title of the Bill, viz.:—" *An Act to make further provision for the issue and service of process in the Supreme Court.*"
Question put and passed.
8. **Summary Convictions Bill**:—On motion of Mr. Martin the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Tuesday next.
Council adjourned at a quarter before Five o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, OCTOBER 2.

NOTICES OF MOTION:—

1. **MR. DARVALL** to move, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to add one additional Constable to the Police Establishment at Frederick's Valley, provided for by the Appropriation passed for 1850.
2. **MR. NICHOLS** to move for leave to bring in a Bill to regulate Distresses for Rent.
3. **MR. DANGAR** to move That,—
Whereas a large number of persons whose passage to this Colony has been paid out of Colonial funds have lately re-emigrated to California and other foreign parts, to the great waste of the public revenue, and in contravention of the implied contract under which they were conveyed to this Colony. It being considered, however, that under the existing regulations no legal obligation for such repayment has been created, and it being desirable for this and other reasons that these regulations should be so altered or modified as to render it imperative on all future emigrants provided with a passage at the public expence to refund the cost thereof to the public Treasury.
It is Resolved, therefore,—
(1st.) That in all cases where any such emigrants desire to re-emigrate, that portion of their passage money which has been paid out of Colonial funds shall be repaid before they shall be entitled to a clearance from the Colony.
(2nd.) That in all other cases all such payments on their account shall be refunded by them in four years at the utmost, whether they re-emigrate or not.
(3rd.) That in future no mechanics ought to be assisted with Colonial funds to emigrate to this Colony.
(4th.) That more effectual measures should be taken to prevent the numerous frauds on the public revenue which are committed by heads of families and others possessing capital, but still emigrating to the Colony at the public expence.
(5th.) That an Address be presented to His Excellency the Governor embodying these Resolutions and their preamble, and requesting that His Excellency will be pleased to forward them for the consideration of the Right Honorable the Secretary of State for the Colonies, with a view that His Lordship may direct the Commissioners of Emigration to frame at once the necessary rules and regulations for carrying them into effect.

ORDERS OF THE DAY:—

1. Vagrancy Bill; second reading.
2. Summary Convictions Bill; to be further considered in Committee.

WEDNESDAY, OCTOBER 3.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Postage Bill; third reading.
2. Customs Bill; third reading.
3. Electoral Lists Bill; second reading.
4. Intestates' Estates Claims Bill; third reading.
5. Registrar General's Office Abolition Bill; to be further considered in Committee.
6. Cumberland County Roads Bill; to be further considered in Committee.
7. Slaughter Houses Bill; to be further considered in Committee.

CHARLES NICHOLSON,

Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 2 OCTOBER, 1849.

- 1. Council met pursuant to adjournment ; the Speaker took the Chair.
Postponement :—Mr. Parker, on behalf of Mr. Darvall, postponed the motion standing in the name of Mr. Darvall first on the Notice Paper for to-day, until Friday next.
- 2. Scab and Catarrh in Sheep Bill :—Mr. Donaldson having presented this Bill, Bill, intituled, " *A Bill for preventing the extension of the diseases called the Scab and the Influenza or Catarrh in Sheep and Lambs in the Colony of New South Wales,*" read a first time ; ordered to be printed, and read a second time on Friday next.
- 3. Distress for Rent Bill :—Mr. Nichols moved, pursuant to notice, That he have leave to bring in a Bill to regulate Distresses for Rent.
Question put and passed ;—*Ordered,* That the Mover and Seconder prepare and bring in the Bill.

- 4. Sydney University :—The following Message from His Excellency the Governor received and read :—

CHEV. A. FITZ ROY, Message No. 58.
Governor.

In compliance with the Prayer of the Address of the Legislative Council of the 26th ultimo, the Governor recommends to the Council the insertion in the Bill for incorporating and endowing a University to be called the University of Sydney, a clause permanently appropriating the sum of £5,000 a year from the General Revenue as a fund for Salaries, a Library, and other necessary annual expenses of such University.

Government House, Sydney,
2nd October, 1849.

Ordered to be printed.

- 5. Sydney University Bill :—Mr. Wentworth having presented this Bill, Bill, intituled, " *A Bill to Incorporate and Endow a University, to be called the University of Sydney,*" read a first time ; ordered to be printed, and read a second time to-morrow.
- 6. Assent to Bills :—The Speaker reported that His Excellency the Governor had been pleased to give the Royal Assent to the following Bills :—
(1.) Merchant Seamens' Bill.
(2.) Publicans' Bill.

- 7. Re-emigration of Bounty Immigrants :—Mr. Dangar moved, pursuant to (*amended*) notice, That,—

Whereas a large number of persons whose passage to this Colony has been paid out of Colonial funds have lately re-emigrated to California and other foreign parts, to the great waste of the public revenue, and in contravention of the implied contract under which they were conveyed to this Colony : And it being considered that, under the existing regulations, no legal obligation for such repayment has been created ; and that for this and other reasons these regulations should be so altered or modified as to render it imperative on all future emigrants provided with a passage at the public expense to refund the cost thereof to the public Treasury.

It is Resolved, therefore,—

- (1st.) That in all cases where any such emigrants desire to re-emigrate, that portion of their passage money which has been paid out of Colonial funds ought to be repaid before they shall be entitled to a clearance from the Colony.
- (2nd.) That in all other cases all such payments on their account ought to be refunded by them in four years at the utmost, whether they re-emigrate or not.
- (3rd.) That in future no mechanics ought to be assisted with Colonial funds to emigrate to this Colony.
- (4th.) That more effectual measures should be taken to prevent the numerous frauds on the public revenue which are committed by heads of families and others possessing capital, but still emigrating to the Colony at the public expense.
- (5th.) That an Address be presented to His Excellency the Governor embodying these Resolutions and their preamble, and requesting that His Excellency will be pleased to forward them for the consideration of the Right Honorable the Secretary of State for the Colonies, with a view that His Lordship may direct the Commissioners of Emigration to frame at once the necessary rules and regulations for carrying them into effect.

Debate

Debate ensued.

Mr. James Macarthur moved the previous Question-

Debate continued.

Previous Question—" Shall this Question be now put?"—put and negatived.

8. *Moreton Bay*:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table numbers 1 and 5 in completion of the Returns enumerated in the Address on this subject, adopted on motion of Colonel Snodgrass on the 28th August last.
Ordered to be printed.
9. *Regulations for occupation of Crown Lands, Port Phillip*:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Foster on the 27th July last.
Ordered to be printed.
10. *Estimated and Authorised Expenditure for Port Phillip*:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Moor on the 10th August last.
Ordered to be printed.
11. *Vagrancy Bill*, having been read a second time, on motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman reported progress, and obtained leave to sit again on Thursday next after the disposal of Government business.
12. *Summary Convictions Bill*:—On motion of Mr. Martin the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again to-morrow.
Council adjourned at Seven o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, OCTOBER 3.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. THE COLONIAL SECRETARY to move, That the "*Bill to make further provision for ensuring the Registration of Marriages, Baptisms, and Burials*," which was reported to the Council without amendment on the 8th August last, be now read a third time.

ORDERS OF THE DAY:—

1. *Postage Bill*; third reading.
2. *Customs Bill*; third reading.
3. *Electoral Lists Bill*; second reading.
4. *Intestates' Estates Claims Bill*; third reading.
5. *Registrar General's Office Abolition Bill*; to be further considered in Committee.
6. *Cumberland County Roads Bill*; to be further considered in Committee.
7. *Slaughter Houses Bill*; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. *Sydney University Bill*; second reading.
2. *Summary Convictions Bill*; to be further considered in Committee.

THURSDAY, OCTOBER 4.

OTHER BUSINESS—ORDER OF THE DAY.

1. *Vagrancy Bill*; to be further considered in Committee.

FRIDAY, OCTOBER 5.

NOTICE OF MOTION:—

1. MR. DARVALL to move, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to add one additional Constable to the Police Establishment at Frederick's Valley, provided for by the Appropriation passed for 1850.

ORDER OF THE DAY:—

1. *Scab and Catarrh in Sheep Bill*; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 3 OCTOBER, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Assent to Bill :—The Speaker reported that His Excellency the Governor had been pleased to give the Royal Assent to the *Departing Vessels Bill*.
2. Messages :—The following Messages from His Excellency the Governor received and read :—

(1.) Sydney Corporation Bill.

CH^s. A. FITZ ROY,
Governor.

Message No. 59.

In accordance with the provisions of the Act for the Government of New South Wales 5 and 6 Victoria c. 76, the Governor transmits to the Legislative Council the Draft of a Bill to provide for the Regulation of the Corporation of the City of Sydney.

2. In submitting this Bill to the Council at this late period of the Session His Excellency is aware that it may not be convenient or expedient in a matter of so much importance to the Inhabitants of the City to carry it through its several stages in order that it may be immediately passed into a Law, but he has nevertheless deemed it right that it should now be presented in order that it may be printed, and taken into consideration at an early period of the ensuing Session.

*Government House, Sydney,
3rd October, 1849.*

Ordered to be printed, together with the accompanying Bill.

(2.) Books and Newspapers Publication Bill.

CH^s. A. FITZ ROY,
Governor.

Message No. 60.

In accordance with the provisions of the Act for the Government of New South Wales, 5 and 6 Victoria, c. 76, the Governor transmits to the Legislative Council the Draft of " *A Bill to transfer certain Duties with respect to the printing and publishing of Books and Newspapers from the Office of the Colonial Secretary to that of the Supreme Court.*"

*Government House, Sydney,
3rd October, 1849.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration to-morrow.

3. Crown Lands :—Mr. Lowe, as Chairman, brought up the Report from and laid upon the Table the Evidence taken before the Select Committee appointed on the 12th June last, to inquire into the management of the Waste Lands of the Crown, the appropriation of the Revenue derived therefrom, and the influence of such management and appropriation upon the colonization of the Territory.
Ordered to be printed.
4. Slaughter Houses Bill :—Mr. Lowe presented a Petition from William Sharpe, Edward Raper, and John Kingdon Cleeve, of Sydney, Butchers, praying to be heard by Counsel against that part of this Bill which would prevent the slaughter of the smaller animals in the Slaughter Houses already licensed in Sydney and its vicinity.
Petition received.
5. Charles Blakefield :—Mr. Nichols presented a Petition from Charles Blakefield, of the Town of Parramatta, praying the Council to take into consideration the Act of Council 9 Victoria, No. 4, with a view to the liberation of Edward Augustus Withers from the Lunatic Asylum at Tarban Creek, and to render the said Act less oppressive to the liberty of the subject.
Petition received.
6. Distress for Rent Bill :—Mr. Nichols having presented this Bill, Bill, intituled " *A Bill to regulate Distresses for Rent,*" read a first time ; and ordered to be printed.
7. Essays on Catarrh in Sheep :—Mr. James Macarthur brought up the Report from the Select Committee to whom, on the 6th June last, was referred the Governor's Message No. 5, and the accompanying Essays on the disease commonly called Catarrh in Sheep.
Ordered to be printed.
8. Slaughter Houses Bill :—Mr. Wentworth presented a Petition from Moses Joseph, of Camperdown, praying that his Establishment at Camperdown, may be excepted from the

the operation of the first clause of this Bill, which proposes that no Licenses shall in future be issued for any Slaughter House Establishment within the limits of Sydney, or within the distance of three miles therefrom.

Petition received.

9. Motion withdrawn:—The Colonial Secretary withdrew the motion standing in his name on the Notice Paper of Government Business for to-day.
10. Postage Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and *passed*.
The Colonial Secretary then moved, That the following be the title of the Bill, viz. :—“ *An Act to establish an uniform Rate of Postage, and to consolidate and amend the Law for the Conveyance and Postage of Letters.*”
Question put and passed.
11. Customs Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Collector of Customs, read a third time, and *passed*.
The Collector of Customs then moved, That the following be the title of the Bill, viz. :—“ *An Act to amend an Act passed in the ninth year of the Reign of Her present Majesty, intituled, ‘An Act to provide for the General Regulation of the ‘Customs in New South Wales.’*”
Question put and passed.
12. Electoral Lists Bill:—The Colonial Secretary moved, That this Bill be now read a second time.
Debate ensued.
Motion by leave withdrawn.
The Colonial Secretary then moved, That the second reading of this Bill be postponed, until to-morrow.
Question put and passed.
13. Intestates’ Estates Claims Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and *passed*.
The Colonial Secretary then moved, That the following be the title of the Bill, viz. :—“ *An Act to provide for the payment of claims on the late Registrar of the Supreme Court in respect of Intestate Estates.*”
Question put and passed.
14. Registrar General’s Office abolition Bill:—On motion of the Colonial Secretary the Speaker left the Chair, and 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, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Friday next.
15. Cumberland County Roads Bill:—The Colonial Secretary moved, That the Speaker do now leave the Chair and the Council resolve itself into a Committee of the whole for the further consideration of this Bill.
Debate ensued.
Question put and passed,—
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman reported progress, and obtained leave to sit again to-morrow.
16. Slaughter Houses’ Bill:—On motion of the Colonial Secretary the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again to-morrow.
17. Postponement:—The second reading of the Sydney University Bill postponed, on motion of Mr. Wentworth, until to-morrow—with the understanding that it take precedence of all other Orders.
18. Summary Convictions Bill:—On motion of Mr. Martin the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again to-morrow.
Council adjourned at Eight o’clock, until to-morrow at Three o’clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, OCTOBER 4.

NOTICE OF MOTION.

Contingent—MR. LOWE to move, upon going into Committee on the Slaughter Houses Bill—
That Counsel be heard at the Bar in support of the Petition presented by him yesterday.

OTHER BUSINESS—ORDER OF THE DAY.

- 1. Sydney University Bill; second reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

- 1. Consideration of Governor's Message, No. 60, with Books and Newspapers Publication Bill.
- 2. Electoral Lists Bill; second reading.
- 3. Cumberland County Roads Bill; to be further considered in Committee.
- 4. Slaughter Houses Bill; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY :—

- 1. Vagrancy Bill; to be further considered in Committee.
- 2. Summary Convictions Bill; to be further considered in Committee.

FRIDAY, OCTOBER 5.

NOTICE OF MOTION :—

- 1. MR. DARVALL to move, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to add one additional Constable to the Police Establishment at Frederick's Valley, provided for by the Appropriation passed for 1850.

ORDERS OF THE DAY :—

- 1. Scab and Catarrh in Sheep Bill; second reading.
- 2. Registrar General's Office Abolition Bill; third reading.

TUESDAY, OCTOBER 9.

NOTICE OF MOTION :—

- 1. MR. LOWE to move, That an Address transmitting the Report of the Committee on Crown Lands and the Evidence appended thereto, be presented to His Excellency the Governor, praying that His Excellency will be pleased to forward that Report and Evidence for the consideration of the Right Honorable the Secretary of State for the Colonies.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 4 OCTOBER, 1849.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
Letter from the Honorable Francis Scott :—The Speaker reported that he had received a letter from the Honorable Francis Scott, dated 1st May, 1849, having reference to various matters connected with his duties as Parliamentary Agent for this Colony.
Ordered to be printed.
2. Leave of absence for a fortnight granted to Colonel Snodgrass on motion of the Colonial Treasurer.
3. Sydney University Bill :—Mr. Wentworth moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed ; and Bill read a second time ;—
Whereupon, on motion of Mr Wentworth, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman reported progress, and obtained leave to sit again to-morrow.
4. Books and Newspapers Publication Bill :—The Governor's Message No. 60, received with this Bill yesterday, having been read, on motion of the Colonial Secretary, Bill, intituled, " *A Bill to transfer certain duties with respect to the printing and publishing of Books and Newspapers from the Office of the Colonial Secretary to that of the " Supreme Court,"* read a first time ; to be read a second time to-morrow.
5. Electoral Lists Bill :—The Attorney General moved, That the Order for the second reading of this Bill be discharged from the Paper.
Debate ensued.
Question put and passed.
6. Cumberland County Roads Bill :—The Colonial Secretary moved, That the Speaker do now leave the Chair and the Council resolve itself into a Committee of the whole for the further consideration of this " Bill."
The Attorney General moved, That the Question be amended by adding after the word " Bill" at the end thereof, the words " and that it be an instruction to such Committee to reconsider the preamble and 18th clause."
Question—with the proposed amendment—put and passed ;—
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Tuesday next.
7. Postponements :—
 - (1.) The further consideration in Committee of the Slaughter Houses Bill postponed, on motion of the Colonial Secretary, until to-morrow.
 - (2.) The further consideration in Committee of the Vagrancy Bill postponed, on motion of Mr. Nichols, until to-morrow.
 - (3.) The further consideration in Committee of the Summary Convictions Bill postponed, on motion of Mr. Donaldson, on behalf of Mr. Martin, until to-morrow.
 Council adjourned at Seven o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, OCTOBER 5.

NOTICES OF MOTION :—

Contingent—MR. LOWE to move, upon going into Committee on the Slaughter Houses Bill—
That Counsel be heard at the Bar in support of the Petition presented by him on the 3rd instant.

1. MR. DARVALL to move, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to add one additional Constable to the Police Establishment at Frederick's Valley, provided for by the Appropriation passed for 1850.
2. MR. DANGAR to move, That,
Whereas a large number of persons whose passage to this Colony has been paid out of Colonial funds have lately re-emigrated to California and other foreign parts without having remained a sufficient time in the Colony to confer any proportionate benefit for such payment, and thereby causing a great and useless expenditure to the public revenue : And whereas it is considered that under the existing Regulations no legal obligation for the re-payment of such passage money has been created ; and that for this and other reasons the present Regulations should be so altered or modified as to render it imperative on all future Emigrants provided with a passage at the public expense to refund the cost thereof to the public Treasury in the event of their quitting the Colony :—
It is Resolved,—
(1.) That in all cases wherein any such Emigrants desire to re-emigrate within five years after their arrival in this Colony, that portion of their passage money which has been paid out of Colonial funds ought to be repaid before they shall be entitled to a clearance from the Colony.
(2.) That in future no mechanics ought to be assisted with Colonial funds to emigrate to this Colony.
(3.) That an Address be presented to His Excellency the Governor embodying these Resolutions and their preamble, and requesting that His Excellency will be pleased to forward them for the consideration of the Right Honorable the Secretary of State for the Colonies, with a view that His Lordship may direct the Commissioners of Emigration to frame at once the necessary rules and regulations for carrying them into effect.

ORDERS OF THE DAY :—

1. Scab and Catarrh in Sheep Bill ; second reading.
2. Registrar General's Office Abolition Bill ; third reading.
3. Sydney University Bill ; to be further considered in Committee.
4. Books and Newspapers Publication Bill ; second reading.
5. Slaughter Houses' Bill ; to be further considered in Committee.
6. Vagrancy Bill ; to be further considered in Committee.
7. Summary Convictions Bill ; to be further considered in Committee.

TUESDAY, OCTOBER 9.

NOTICE OF MOTION :—

1. MR. LOWE to move, That an Address transmitting the Report of the Committee on Crown Lands and the Evidence appended thereto, be presented to His Excellency the Governor, praying that His Excellency will be pleased to forward that Report and Evidence for the consideration of the Right Honorable the Secretary of State for the Colonies.

ORDER OF THE DAY :—

1. Cumberland County Roads Bill ; third reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

FRIDAY, 5 OCTOBER, 1849.

- 1. Council met pursuant to adjournment ; the Speaker took the Chair. Slaughter Houses Bill :—The Colonial Treasurer presented a Petition from certain householders in the vicinity of Charlotte-Place, praying that all Slaughtering Establishments may be removed beyond the precincts of the City, according to the original intendment of this Bill. Petition received.
2. Medical Profession Bill :—Dr. Dickson, as Chairman, brought up a Progress Report from and laid upon the Table the Evidence taken before the Select Committee to whom this Bill was referred on the 24th July last. Ordered to be printed.
3. Illawarra District Council :—Mr. James Macarthur presented a Petition from certain Electors of the District of Illawarra, praying the Council to take such steps as to them shall seem meet for annulling the appointment of certain District Councillors nominated in default of a timely Election. Petition received.

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

(1.) Pawnbrokers' Bill. CHS. A. FITZ ROY, Governor.

Message No. 61.

Agreeably to the provisions of the 30th Clause of the Act for the Government of New South Wales and Van Diemen's Land the Governor has to propose the following amendments in an Act which has been passed by the Council and presented to His Excellency for the Royal Assent intituled " An Act for regulating the trade or " business of Pawnbrokers in New South Wales."

The amendment His Excellency proposes is that a clause be added to the Act by way of Rider in the form annexed.* Government House, Sydney, 5th October, 1849.

*" Provided always, and be it enacted, That nothing in this Act shall be held or construed to apply to loans or advances made on any goods, chattels, live stock, wool, bonds, bills, title deeds, or other security, by merchants, bankers, commission agents, brokers, or licensed auctioneers, in the ordinary and bona fide course of mercantile or banking transactions : Provided that the interest on any such loans or advances shall not exceed the rate of ten per cent. per annum."

Ordered to be printed, together with the accompanying Document, and taken into consideration on †Monday next.

(2.) Sydney Railway Bill. CHS. A. FITZ ROY, Governor.

Message No. 62.

Agreeably to the provisions of the 30th Clause of the Act for the Government of New South Wales and Van Diemen's Land the Governor has to propose the following amendment in an Act which has been passed by the Council and presented to His Excellency for the Royal Assent intituled " An Act to incorporate a Company " to be called the Sydney Railway Company."

The amendment His Excellency proposes is that a Clause be inserted in the Act after Clause 74 in the form annexed.* Government House, Sydney, 5th October, 1849.

* " And be it enacted, That in case Her Majesty's Government of the said Colony shall at any time enter into any agreement with the said Company to guarantee to the shareholders of the said Company the payment of any sum or sums of money either as a dividend or as interest on the paid up capital of the said Company at any rate to be agreed on between Her Majesty's said Government and the said Company it shall be lawful for the said Company (if Her Majesty's Government shall require the same) to assign or mortgage the property of the said Company and the rates arising or to arise by virtue of this Act or any part thereof as a security for any such sum or sums of money as shall be so guaranteed to be paid by the said Government to the shareholders of the said Company in pursuance of such guarantee."

Ordered to be printed, together with the accompanying Document, and taken into consideration on †Monday next.

- 5. Proposed University of Sydney :—The Attorney General presented a Petition from certain Physicians and Surgeons practising in Sydney, praying that a fair proportion of the Senate of the proposed University, may be selected from the Physicians and Surgeons practising in the Colony. Petition received.

6.

† Note.—Carried to the Orders for the next Sitting Day.—Tuesday—in consequence of the House having been counted out without a motion for adjournment to this particular day.—Monday.

6. Police, Frederick's Valley :—Mr. Darvall moved, pursuant to notice, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to add one additional Constable to the Police Establishment at Frederick's Valley, provided for by the Appropriation passed for 1850.
Debate ensued.
Question put and negatived.
7. Light Houses, Bass's Straits :—Mr. Wentworth, as Chairman, brought up the Report from and laid upon the Table the Evidence taken before the Select Committee appointed on the 13th July last to inquire into the allegations contained in the Petition of John Morris, and the expenses attending the erection of the several Light Houses in Bass's Straits.
Ordered to be printed.
8. Real Property Law Bill :—Mr. Wentworth brought up a Progress Report from and laid upon the Table the Evidence taken before the Select Committee to whose consideration this Bill was referred on the 10th July last.
Ordered to be printed.
9. Re-emigration of Bounty Immigrants :—Mr. Dangar moved, pursuant to (*amended*) notice, That,—
Whereas a large number of persons whose passage to this Colony has been paid out of Colonial funds have lately re-emigrated to California and other foreign parts without having remained a sufficient time in the Colony to confer any proportionate benefit for such payment, thereby causing a great and useless expenditure to the public revenue: And whereas it is considered that under the existing Regulations no legal obligation for the re-payment of such passage money has been created; and that for this and other reasons the present Regulations should be so altered or modified as to render it imperative on all future Emigrants provided with a passage at the public expense, to refund the cost thereof to the public Treasury in the event of their quitting the Colony :—
It is Resolved,—
(1.) That in all cases wherein any such Emigrants desire to re-emigrate "within five years after their arrival in this Colony," that portion of their passage money which has been paid out of Colonial funds ought to be repaid before they shall be entitled to a clearance from the Colony.
(2.) That no mechanics ought to be assisted with Colonial funds to emigrate to this Colony.
(3.) That an Address be presented to His Excellency the Governor embodying these Resolutions and their preamble, and requesting that His Excellency will be pleased to forward them for the consideration of the Right Honorable the Secretary of State for the Colonies, with a view that His Lordship may direct the Commissioners of Emigration to frame at once the necessary rules and regulations for carrying them into effect.
Debate ensued.
Mr. Wentworth moved, That the Question be amended by omitting the words (in the first Resolution) "within five years after their arrival in this Colony."
Debate continued.
Question put,—That the words proposed to be omitted stand part of the Question.
Council divided.

Ayes, 13.
Mr. Nichols,
The Colonial Secretary,
The Attorney General,
The Auditor General,
Mr. Lamb,
Mr. Donaldson,
Mr. Martin,
Mr. Dangar,
Dr. Dickson,
Mr. Parker,
Mr. W. Macarthur,
Mr. Berry,
Mr. Allen, (Teller.)

Noes, 5.
Mr. Wentworth,
Mr. Lowe,
Mr. J. Macarthur,
Mr. Darvall,
Mr. Cooper, (Teller.)

Original Question stated.

Mr. Allen moved the Previous Question.

Previous Question put—"Shall this Question be now put?"

Council divided.

Ayes, 5.
Mr. Lamb,
Mr. Donaldson,
Mr. Dangar,
Dr. Dickson,
Mr. Martin, (Teller.)

Noes, 13.
Mr. Nichols,
Mr. W. Macarthur,
Mr. Lowe,
Mr. J. Macarthur,
Mr. Wentworth,
Mr. Darvall,
Mr. Berry,
Mr. Allen,
Mr. Parker,
The Auditor General,
The Colonial Secretary,
The Attorney General,
Mr. Cooper, (Teller.)

- 10. Scab and Catarrh in Sheep Bill :—Mr. Donaldson moved, That the Order for the second reading of this Bill be discharged from the Paper.
Question put and passed.
- 11. Registrar General's Office Abolition Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and *passed*.
The Colonial Secretary then moved, That the following be the title of the Bill, viz.—
“ *An Act to abolish the Office of Registrar General; and to make further provision for the Registration of Deeds and other Instruments.*”
Question put and passed.
- 12. Sydney University Bill :—On motion of Mr. Wentworth the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
There not being twelve Members present, exclusive of the Speaker, the Speaker adjourned the Council at a quarter before Nine o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, OCTOBER 9.

NOTICES OF MOTION :—

Contingent.—MR. LOWE to move, upon going into Committee on the Slaughter Houses Bill—
That Counsel be heard at the Bar in support of the Petition presented by him on the 3rd instant.

- 1. MR. LOWE to move, That an Address transmitting the Report of the Committee on Crown Lands and the Evidence appended thereto, be presented to His Excellency the Governor, praying that His Excellency will be pleased to forward that Report and Evidence for the consideration of the Right Honorable the Secretary of State for the Colonies.

ORDERS OF THE DAY :—

- 1. Cumberland County Roads Bill ; third reading.
- 2. Consideration of Governor's Message No. 61 proposing an amendment in the Pawn-brokers' Bill.
- 3. Consideration of Governor's Message No. 62 proposing an amendment in the Sydney Railway Bill.
- 4. Books and Newspapers Publication Bill ; second reading.
- 5. Slaughter Houses Bill ; to be further considered in Committee.
- 6. Vagrancy Bill ; to be further considered in Committee.
- 7. Summary Convictions Bill ; to be further considered in Committee.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

TUESDAY, 9 OCTOBER, 1849.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Crown Lands:—Mr. Lowe moved, pursuant to notice, That an Address transmitting the Report of the Committee on Crown Lands and the Evidence appended thereto, be presented to His Excellency the Governor, praying that His Excellency will be pleased to forward that Report and Evidence for the consideration of the Right Honorable the Secretary of State for the Colonies.
Question put and passed; Address to be presented by the Speaker and the Colonial Secretary.
2. Slaughter Houses Bill:—
 - (1.) Mr. Wentworth presented a Petition from James Booth, praying that his Steaming down Establishment at Camperdown may be excluded from the operation of this Bill.
Petition received.
 - (2.) Mr. Lowe presented a Petition from James Robert Wilshire and Austin Forrest Wilshire, carrying on Leather Soap and Candle Manufactures in the City of Sydney, praying that the Council will not pass this Bill without affording them that relief to which they consider themselves entitled.
Petition received.
3. Cumberland County Roads Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill,—
The Colonial Secretary moved, "That" the Bill be now read a third time.
Mr. Nichols moved, That the Question be amended by omitting all the words thereof following "That," with a view to the insertion in their place of the words "The Speaker do now leave the Chair and the Council resolve itself into a Committee of the whole for the further consideration of this Bill."
Question—That the words proposed to be omitted stand part of the Question—put and negatived.
Question—That the words proposed to be inserted in place of the words omitted be so inserted—put and passed.
Question—That the Speaker do now leave the Chair and the Council resolve itself into a Committee of the whole for the further consideration of this Bill—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill, as so reported with its further amendments, to be re-engrossed, and read a third time to-morrow.
4. 'Pawnbrokers' Bill:—The Governor's Message No. 61, received on the 5th instant, proposing an amendment in this Bill, having been read, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported that the Committee had agreed to the amendment proposed by His Excellency the Governor,—
The Colonial Secretary moved, That this Council do now adopt the amendment so agreed to.
Question put and passed.
The Colonial Secretary then moved, That the Bill with the amendment so agreed to be again presented to His Excellency the Governor for the Royal Assent, accompanied by the following Message to be presented by the Speaker:—
Message from the Legislative Council to His Excellency the Governor, in answer to an amendment proposed by His Excellency to be made in a Bill presented to His Excellency for Her Majesty's Assent, intitled, "An Act for regulating the Trade or Business of Pawnbrokers in New South Wales."
"Agreeably to the provisions of the 30th clause of the Act for the Government of New South Wales, 5th and 6th Victoria, chap. 76, the Legislative Council have taken into consideration an amendment proposed to the Council to be made in the said Bill, by His Excellency the Governor, in his Message No. 61, of the 5th instant, and, having agreed to the same, beg to present the said Bill to His Excellency for Her Majesty's Assent, with the said amendment so agreed to."
Question put and passed.
5. Sydney Railway Bill:—The Governor's Message No. 62, received on the 5th instant, proposing an amendment in this Bill, having been read, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported that the Committee had agreed to the amendment proposed by His Excellency the Governor,—

The

The Colonial Secretary moved, That this Council do now adopt the amendment so agreed to.

Question put and passed.

The Colonial Secretary then moved, That the Bill with the amendment so agreed to be again presented to His Excellency the Governor for the Royal Assent, accompanied by the following Message to be presented by the Speaker:—

Message from the Legislative Council to His Excellency the Governor in answer to an amendment proposed by His Excellency to be made in a Bill presented to His Excellency for Her Majesty's Assent, intituled, "An Act to incorporate a Company to be called 'the Sydney Railway Company.'"

"Agreeably to the provisions of the 30th clause of the Act for the Government of New South Wales, 5th and 6th Victoria, chap. 76, the Legislative Council have taken into consideration an amendment proposed to the Council to be made in the said Bill, by His Excellency the Governor, in his Message No. 62, of the 5th instant, and, having agreed to the same, beg to present the said Bill to His Excellency for Her Majesty's Assent, with the said amendment so agreed to."

Question put and passed.

6. Books and Newspapers Publication Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.

The Chairman having reported the Bill without amendment, the Colonial Secretary moved, "That" the Report be now adopted.

The Attorney General moved, That the Question be amended by omitting all the words thereof following the word "That" with a view to insert in their place the words "after the word 'the' and before the word 'Registrar' in line 41 of clause II, there be inserted the word 'said.'"

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

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

Question, That after the word "the" and before the word "Registrar" in line 41 of clause II, there be inserted the word "said",—put and passed.

The Colonial Secretary moved, That the Report, as so amended, be now adopted.

Question put and passed.

The Colonial Secretary then moved, That the Bill, as so amended in the reported Copy, be engrossed, and read a third time to-morrow.

Question put and passed.

7. Slaughter Houses Bill:—The Order of the Day for the further consideration of this Bill in Committee being read,—

Mr. James Macarthur, on behalf of Mr. Lowe, moved, pursuant to *contingent* notice standing in the name of Mr. Lowe on the Notice Paper for to-day, That Counsel be heard at the Bar in support of the Petition presented by him on the 3rd instant.

Question put and passed.

Counsel admitted to the Bar and informed by the Speaker that he was to address the Council in support of the Petition of William Sharpe, Edward Raper, and John Kingdon Cleeve, against that part of the Slaughter Houses Bill which would prevent the slaughter of the smaller animals in Slaughter Houses already licensed.

Counsel having concluded his address and withdrawn,—

The Colonial Secretary moved, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of this Bill.

Question put and passed;—

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

The Chairman having reported the Bill with amendments,—

The Colonial Secretary moved, "That" the Report be now adopted.

Mr. Martin moved, That the Question be amended by omitting all the words thereof following the word "That" with a view to the insertion in their place of the words "the following Proviso be added to the first Clause: 'nor to prevent any person from slaughtering cattle or other animals for the purpose of being preserved on the premises where they shall have been slaughtered in any place now established and used for that purpose within one mile of the said City.'"

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

Question,—That the words proposed to be inserted in place of the words omitted be so inserted—stated.

Debate ensued.

Proposed amendment by leave withdrawn.

The Colonial Secretary moved, That in place of the words omitted there be inserted the words "the enacting part of Clause I be amended by adding after the word 'behalf' at the end thereof the words 'or to apply to any house or premises now used for slaughtering cattle, sheep, calves, or pigs, for the purpose of converting the carcases, or any part thereof, into preserved meats; provided that no house or premises shall be newly established for such purpose after the passing of this Act within two miles of the said limits.'"

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

Question

Question—That the enacting part of Clause I be amended by adding after the word "behalf," at the end thereof, the words "or to apply to any house or premises now used for slaughtering cattle, sheep, calves, or pigs, for the purpose of converting the carcasses, or any part thereof, into preserved meats; provided that no house or premises shall be newly established for such purpose after the passing of this Act within two miles of the said limits"—put and passed.

The Colonial Secretary moved, That the Report, as so amended, be now adopted.

Question put and passed.

The Colonial Secretary then moved, That the Bill, as so amended in the reported copy, be engrossed, and read a third time on Thursday next.

Question put and passed.

8. Vagrancy Bill:—On motion of Mr. Nichols the Speaker left the Chair, and 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,—

Mr. Nichols moved, "That" the Report be now adopted.

Mr. Martin moved, That the Question be amended by omitting all the words thereof following the word "That," with a view to the insertion in their place of the words "the XVI clause be amended in the 36th line by substituting the word 'Peace' for the word 'Bench,'—in the 38th line by substituting the word 'Peace' for the word " ' Bench,"—and by substituting the word ' as' for the word ' of' in the same line."

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

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

Question—That the XVI clause be amended in the 36th line by substituting the word "Peace" for the word "Bench,"—in the 38th line by substituting the word "Peace" for the word "Bench,"—and by substituting the word "as" for the word "of" in the same line,—put and passed.

Mr. Nichols moved, That the Report, as so amended, be now adopted.

Question put and passed.

Mr. Nichols then moved, That the Bill, as so amended in the reported copy, be engrossed, and read a third time on Thursday next.

Question put and passed.

9. Summary Convictions Bill:—Mr. Martin moved, That the Order for the further consideration of this Bill in Committee be now discharged from the Paper.

Question put and passed.

Council adjourned at a quarter before Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, OCTOBER 10.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

- 1. Cumberland County Roads Bill; third reading.
2. Books and Newspapers Publication Bill; third reading.

OTHER BUSINESS—NOTICE OF MOTION:—

- 1. MR. WENTWORTH to move, That the Committee of the whole House on the Bill to incorporate and endow a University, to be called the University of Sydney, be resumed, and that the discussion of the clauses of the Bill do recommence from the point where it was interrupted for want of a quorum on Friday last.

THURSDAY, OCTOBER 11.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

- 1. Slaughter Houses Bill; third reading.

OTHER BUSINESS—ORDER OF THE DAY:—

- 1. Vagrancy Bill; third reading.

CHARLES NICHOLSON, Speaker.

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VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 10 OCTOBER, 1849.

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.) Equity Process Bill.
(2.) Police Reward Fund Bill.
(3.) Appropriation Bill.
(4.) Common Law Process Bill.
(5.) Quarantine Bill.
(6.) Hawkers' and Pedlers' Bill.
2. Cumberland County Roads Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Attorney General, read a third time, and *passed*.
The Attorney General then moved, That the following be the title of the Bill, viz. :—
" *An Act for the managing, making, and upholding of the Public Roads in the County of Cumberland, and for other purposes therein mentioned.*"
Question put and passed.
3. Books and Newspapers Publication Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and *passed*.
The Colonial Secretary then moved, That the following be the title of the Bill, viz. :—
" *An Act to transfer certain duties with respect to the printing and publishing of Books and Newspapers, from the Office of the Colonial Secretary to that of the Supreme Court.*"
Question put and passed.
4. Sydney University Bill :—Mr. Wentworth offering to make the motion standing in his name on the Notice Paper of Other Business for to-day, was interrupted by the Question of Order whether, consistently with section XX of the Standing Orders, he could proceed with his motion in its present form.
Mr. Wentworth then moved, That section XX of the Standing Orders be suspended with a view to enable him at once to make his motion.
Question put and passed ;—
Whereupon Mr. Wentworth moved, pursuant to notice, " That " the Committee of the whole House on the Bill to incorporate and endow a University, to be called the University of Sydney, be resumed, and that the discussion of the clauses of the Bill do recommence from the point where it was interrupted for want of a quorum on Friday last.
Mr. Lowe moved, That the Question be amended by omitting all the words thereof following the word " That," with a view to insert in their place the words " the Council go into Committee on this Bill this day three months."—
Debate ensued.
Notice being taken that there was not present one-third of the Members exclusive of the Speaker, the Speaker adjourned the Council at a quarter before Seven o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, OCTOBER 11.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Slaughter Houses Bill ; third reading.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. WENTWORTH to move,—
(1.) That by the vote for reducing the Mounted Police in the County of Cumberland it was not the intention of this Council that the Governor's Ordealies should be discontinued.
(2.) That this Resolution be communicated to His Excellency by an Address from this House.

ORDER OF THE DAY :—

1. Vagrancy Bill ; third reading.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 11 OCTOBER, 1849.

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.) Sydney Railway Bill.
(2.) Pawnbrokers' Bill.
2. Slaughter Houses Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, the Colonial Secretary moved, " That " the Bill be now read a third time.
Mr. Martin moved, That the Question be amended by omitting all the words thereof following the word " That," with a view to insert in their place the words " the " enacting part of Clause I be amended by striking out the words ' or any part,' in " the words added in the House on the 9th instant."
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question—That the enacting part of Clause I be amended by striking out the words " or any part " in the words added in the House on the 9th instant—put and passed.
The Colonial Secretary moved, That the Bill as so amended be now read a third time.
Question put and passed.
Bill read a third time.
The Colonial Secretary moved, That the Bill do now pass.
Question put and passed.
The Colonial Secretary then moved, That the following be the title of the Bill, viz. :—
" *An Act to amend the Law relating to the Licensing of Slaughter Houses within the " City and Suburbs of Sydney, and for the prevention of other nuisances within the same.*"
Question put and passed.
3. Governor's Orderlies :—Mr. Wentworth moved, pursuant to notice,—
(1.) That by the vote for reducing the Mounted Police in the County of Cumberland it was not the intention of this Council that the Governor's Orderlies should be discontinued.
(2.) That this Resolution be communicated to His Excellency by an Address from this House.
Debate ensued.
Motion by leave withdrawn.
4. Vagrancy Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Nichols, read a third time, and passed.
Mr. Nichols then moved, That the following be the title of the Bill, viz. :—" *An Act " for the more effectual prevention of vagrancy, and for the punishment of idle and " disorderly persons, rogues, and vagabonds, and incorrigible rogues, in the Colony of " New South Wales.*"
Question put and passed.
Council adjourned at Four o'clock, until to-morrow at Twelve o'clock.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

FRIDAY, 12 OCTOBER, 1849.

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.) Postage Bill.
 - (2.) Melbourne Building Bill.
 - (3.) Geelong Incorporation Bill.
 - (4.) Cumberland County Roads Bill.
 - (5.) Slaughter Hours Bill.
 - (6.) Customs Bill.
 - (7.) Intestates' Estates Claims Bill.
 - (8.) Registrar General's Office Abolition Bill.
 - (9.) Vagrancy Bill.
 - (10.) Books and Newspapers Publication Bill.
2. Business of the Session:—The Speaker reported, That of Seventy-one Bills introduced during the Session, fifty-one had passed and been assented to; three had been negatived on motion for second reading; two had lapsed in Select Committee; two had lapsed in Committee of the whole Council; seven had lapsed in the House; four had been discharged from the Paper; and two had been disposed of by the Question of "That day six months."
3. Prorogation:—His Excellency the Governor having arrived at the Chamber, was conducted by the Speaker to an elevated seat provided for him near the Speaker's Chair, and read the following Speech:—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE COUNCIL,

The business of the Session having now been brought to a close, and the season being at hand when the presence of many of the Members will be required in the Rural Districts for the prosecution of their private avocations, I am happy in being able to release you from further attendance on your arduous duties.

2. The proceedings of the Session have been marked with the initiation and enactment of many useful Laws which in their operation I trust will prove highly conducive to the public advantage. Among the most important is the Act for the establishment of an Uniform rate of Postage. This measure is based upon a principle of such liberality as cannot fail to promote, in an essential degree, the social and economical advancement of this rising community. If in the first instance it should be attended with some loss of Revenue, the advantages it will secure to the Public in facilitating Postal communication will I confidently believe more than compensate for any such sacrifice. I will lose no time in giving the necessary instructions for carrying out the recommendations of the Select Committee appointed to consider this measure as requested in your Address to me of the 26th ultimo.

3. In forwarding to Her Most Gracious Majesty the Petition from the Council which has been transmitted to me for that purpose, praying that the pre-payment of letters passing between the Colony and the United Kingdom may be rendered optional in future, I felt happy in supporting it with my strong recommendation that its prayer might be favorably entertained.

4. I will forward by the earliest opportunity the Petition from the Council to Her Majesty praying the establishment of Steam Communication with England, accompanied by a repetition of my earnest recommendation that measures may be speedily adopted for the accomplishment of this important object, so anxiously desired by the whole of this community.

5. I will likewise be happy to recommend for favorable consideration the Petition from the Council to Her Majesty, praying that the duties on Wine the produce of this Colony imported into the United Kingdom may be reduced to the same rate as is now levied on Wine the produce of the Cape of Good Hope. The growing interest of this branch of Colonial industry, I am induced to believe, now holds out a fair prospect of its becoming at no distant period one of considerable importance, and it seems only just therefore that it should be relieved from an unequal competition in the English market.

6. I have had much satisfaction in giving my Assent on behalf of Her Majesty to the first Act passed by the Council for the formation of a Railroad in this Colony. I trust that the encouragement which the Government has undertaken to afford to the contemplated work, may be the means of promoting the early introduction of this unrivalled mode of internal communication.

7. The supplies which you have granted for the Public Service I will endeavour to use with the strictest economy consistent with the efficiency of the several Departments of the Government and the general interest of the community.

8. I now declare the Council to stand prorogued to Tuesday, the 20th day of November next, and the same is hereby prorogued accordingly.

CH^S. A. FITZ ROY.

12th October, 1849.

His Excellency then retired, being conducted to the door by the Speaker, and the Council stood prorogued accordingly, to Tuesday, the 20th day of November next.

CHARLES NICHOLSON,
Speaker.

