











NEW SOUTH WALES.

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# VOTES

AND

## PROCEEDINGS

OF

# THE LEGISLATIVE ASSEMBLY,

DURING THE SESSION

OF

**1859-60;**

WITH THE VARIOUS DOCUMENTS CONNECTED THEREWITH.

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IN FOUR VOLUMES.

VOL. I.

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1860.



Legislative Assembly.  
NEW SOUTH WALES.

# VOTES AND PROCEEDINGS.

SESSION 1859-60.

VOL. I.

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No. 1.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

TUESDAY, 30 AUGUST, 1859.

1. Opening of Parliament:—The House met at Twelve o'clock at noon, pursuant to Proclamation of His Excellency the Governor General, bearing date the 26th day of July last, of which the following is a copy:—

“ PROCLAMATION.

“ *By His Excellency SIR WILLIAM THOMAS DENISON, Knight-Commander of the Most Honorable Order of the Bath, Governor General in and over all Her Majesty's Colonies of New South Wales, Tasmania, Victoria, South Australia, and Western Australia, and 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.*

“ In pursuance of the power and authority vested in me, as such Governor as aforesaid, by virtue of the Act, intituled, ‘ *An Act to confer a Constitution on New South Wales, and to grant a Civil List to Her Majesty,*’ as assented to by Her Majesty under the authority of the Act of the Imperial Parliament, passed in the Session of the 18th and 19th years of the Reign of Her said Majesty, intituled, ‘ *An Act to enable Her Majesty to assent to a Bill, as amended, of the Legislature of New South Wales, to confer a Constitution on New South Wales, and to grant a Civil List to Her Majesty,*’ I do hereby proclaim that a Session of the Legislative Council and Legislative Assembly for the Colony of New South Wales, for the despatch of business, shall commence and be holden on Tuesday, the thirtieth day of August next, at twelve o'clock at noon, in the buildings known as the Legislative Council Chambers, in Macquarie-street, in the City of Sydney, and the Members of the said Legislative Council and Legislative Assembly, respectively, are hereby required to give their attendance at the said time and place accordingly.

“ Given under my Hand and Seal, at Government House, Sydney,  
“ this twenty-sixth day of July, in the year of Our Lord, One  
“ thousand eight hundred and fifty-nine, and in the twenty-  
“ third year of Her Majesty's Reign.

“ (L.S.) W. DENISON.

“ *By His Excellency's Command,*

“ CHARLES COWPER.

“ GOD SAVE THE QUEEN !”

The Usher of the Black Rod, being admitted, delivered a Message, “ That the Commissioners request the immediate attendance of this Honorable House in the Legislative Council Chamber, to hear read the Commission for opening and holding this Parliament.”

The House went, and the Commission, of which the following is a copy, was read by the Clerk of the Council:—

“ VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c., &c.

“ To all to whom these presents shall come,

“ Greeting,

“ Whereas, by Proclamation made on the twenty-sixth day of July last, by His Excellency Sir William Thomas Denison, Our Governor General of Our Australian Colonies, and Captain General and Governor in Chief of Our Colony of New South Wales, the said Sir William Thomas Denison did, in pursuance of the power and authority vested in him as Governor of New South Wales, by virtue of the Act of the late Legislature thereof, intituled, ‘ *An Act to confer a Constitution on the said Colony and to grant a Civil List to Her Majesty,*’ as assented to by Us, proclaim that a Session of the Legislative Council and Legislative Assembly constituted under the said Act, and composing the Parliament of the said Colony of New South Wales, should commence and be holden on Tuesday, the thirtieth day of August now instant: And whereas for certain causes Our said Governor cannot conveniently be present in person at the Opening of the said Session on the  
“ said

" said thirtieth day of August: Now know ye, that We, trusting in the discretion, fidelity, and care of Our trusty and Well beloved the Honorable Sir William Westbrooke Burton, Knight, President of the said Legislative Council, the Honorable John Dickson, Esquire, and the Honorable George Allen, Esquire, do give and grant by the tenor of these presents, unto the said Sir William Westbrooke Burton, John Dickson, and George Allen, so being such President and Members of the said Legislative Council, or any two of them, full power in Our name, to open and hold the said Session of the said Legislative Council and Legislative Assembly, on the said thirtieth day of August, on Our behalf, and to do all things necessary to be done, in Our name, or in the name of Our Governor, of Our said Colony, in and about the opening and holding of the said Parliament: Commanding also, by the tenor of these presents, all whom it concerns to meet in the said Parliament, that to the said Sir William Westbrooke Burton, John Dickson, and George Allen, or any two of them, they diligently attend in the premises, in the form aforesaid.

" In testimony whereof, We have caused these Our Letters to be made Patent. Witness our Trusty and Well-beloved SIR WILLIAM THOMAS DENISON, Knight Commander of the Most-Honorable Order of the Bath, Governor General in and over all Our Colonies of New South Wales, Tasmania, Victoria, South Australia, and Western Australia, and Captain General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, on the twenty-ninth day of August, in the year of our Lord one thousand eight hundred and fifty-nine, and in the twenty-third year of our Reign.

" W. DENISON.

" By His Excellency's Command, and with the advice of the Executive Council.

" CHARLES COWPER."

After which the President acquainted both Houses that he had it in command from His Excellency the Governor General, to let them know that they would be informed by His Excellency in person, of the cause of this Parliament being called together; and addressing the Assembly, added:—"It being necessary that a Speaker of the Legislative Assembly should first be chosen, the Commissioners request that you now repair to your own Chamber, and there proceed to the election of your Speaker."

2. Members sworn:—The House being returned, the Honorable Charles Cowper, Esquire, informed the Assembly that His Excellency the Governor General had been pleased to issue a Commission, under the Seal of the Territory, empowering him and two other Members of the House, therein named, to administer to each other, and to all, or any other Member or Members of the House, the Oath or Affirmation of Allegiance required by Law to be taken or made and subscribed before any Member can sit or vote therein, which Commission was read by the Clerk, as follows:—

" By His Excellency SIR WILLIAM THOMAS DENISON, Knight Commander of the Most Honorable Order of the Bath, Governor General in and over all Her Majesty's Colonies of New South Wales, Tasmania, Victoria, South Australia, and Western Australia, and 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.

" To all to whom these presents shall come,

" GREETING:

" In pursuance of the authority in me vested in that behalf, I, Sir William Thomas Denison, as Governor of the Colony of New South Wales, do hereby authorize the Honorable Charles Cowper, Esquire, Colonial Secretary, the Honorable Lyttelton Holyoake Bayley, Esquire, Attorney General, and the Honorable Elias Carpenter Weekes, Esquire, Colonial Treasurer, or any one or more of them, to administer to all or any Members or Member of the Legislative Assembly of the said Colony, the Oath or Affirmation of Allegiance to the Queen, required by law to be taken or made and subscribed by every such Member before he shall be permitted to sit or vote in the said Legislative Assembly.

" Given under my Hand and the Seal of the Territory, at Government House, Sydney, this Twenty-ninth day of August, in the year of Our Lord One thousand eight hundred and fifty-nine, and in the twenty-third year of the Reign of Her Majesty Queen Victoria.

" W. DENISON.

" By His Excellency's Command; and with the advice of the Executive Council,

" CHARLES COWPER."

Whereupon Mr. Cowper took and subscribed the Oath himself, and administered the same to the two other Commissioners, the Honorable Lyttelton Holyoake Bayley, Esquire, and the Honorable Elias Carpenter Weekes, Esquire, and then the Commissioners administered the Oath to all other Members present,—the Clerk producing the several Writs returning them, and the Members subscribing the Roll of the House, as they were severally called to the Table in the alphabetical order of the Districts they represent.

3. Election of Speaker:—Richard Jones, Esquire, addressing himself to the Clerk (who standing up, pointed to him, and then sat down,) proposed to the House for their Speaker, Sir Daniel Cooper, and moved,—  
 "That Sir Daniel Cooper, Knight, do take the Chair of this House as Speaker," which motion was seconded by the Honorable John Hay, Esquire.
4. Member Sworn:—Henry Molesworth Oxley, Esquire, having presented himself at the Table, the Clerk produced the Writ returning him as one of the Members for Camden, whereupon Mr. Oxley was sworn by the Commissioners, and subscribed the Roll.
5. Election of Speaker:—The House calling Sir Daniel Cooper to the Chair, he stood up in his place, and expressed the sense he had of the honor proposed to be conferred upon him, and submitted himself to the House.  
 The House then again unanimously calling Sir Daniel Cooper to the Chair, he was taken out of his place by Mr. Jones and Mr. Hay, and conducted to the Chair,—where, standing on the upper step, he returned his acknowledgments to the House for the great honor they had been pleased to confer upon him by unanimously choosing him to be a third time their Speaker,—  
 And thereupon he sat down in the Chair.  
 Then Mr. Cowper, having congratulated the Speaker, acquainted the House that he had previously ascertained from the Governor General that His Excellency would receive their Speaker at Government House to-morrow at half-past Eleven o'clock, A.M.—Whereupon the House adjourned, on motion of Mr. Cowper, at Two o'clock, until to-morrow at Eleven o'clock.

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WEDNESDAY, AUGUST 31.

MEMO.—The House meet at Eleven o'clock, A.M., this day, to proceed to Government House, and there, at half-past Eleven o'clock, A.M., present their Speaker to His Excellency the Governor General.

DANIEL COOPER,  
*Speaker.*

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VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 31 AUGUST, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Presentation of Speaker:—On motion of Mr. Cowper, the House proceeded to Government House to present their Speaker to His Excellency the Governor General,—  
And the House having returned, the Speaker reported that the Assembly had been to Government House, and had there informed the Governor General that it had been thought courteous to acquaint His Excellency that the Legislative Assembly had, in the exercise of their undoubted right, elected their Speaker, and to present him to His Excellency as the Member a third time distinguished by the choice of him by the Assembly for that high and honorable office;—whereupon His Excellency was pleased to offer to him his congratulations upon the high honor and dignity conferred on him by the House; after which he had, on their behalf, laid claim to all the undoubted rights and privileges of the Assembly, and had requested that the most favorable construction should, on all occasions, be put upon their words and acts, and that His Excellency had been pleased fully to acknowledge all those rights and privileges which the House could legally claim.
2. Message from the Governor General:—The Usher of the Black Rod being admitted, delivered a Message—"That it is the pleasure of the Governor General that this Honourable House do attend His Excellency forthwith in the Legislative Council Chamber."  
The House went, and being returned, adjourned till Three o'clock.
3. Speaker's Commission to Administer the Oath:—The House having resumed, the Speaker reported that His Excellency the Governor General had been pleased to issue a Commission, under the Seal of the Territory, empowering him to administer the Oath or Affirmation of Allegiance to such Members as may hereafter present themselves to be sworn—which Commission was read at length by the Clerk as follows:—

"By His Excellency SIR WILLIAM THOMAS DENISON, Knight Commander of the Most Honorable Order of the Bath, Governor General in and over all Her Majesty's Colonies of New South Wales, Tasmania, Victoria, South Australia, and Western Australia, and 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.

"To all to whom these Presents shall come,

"GREETING:

"In pursuance of the authority in me vested in that behalf, I, Sir WILLIAM THOMAS DENISON, as Governor of the Colony of New South Wales, do hereby authorize the Honorable Sir Daniel Cooper, Knight, Speaker of the Legislative Assembly of the said Colony, to administer from time to time, as occasion may require, to any Members of the said Assembly to whom the same shall not have been previously administered, the Oath or Affirmation of Allegiance to Her Majesty the Queen, required by Law to be taken or made and subscribed by every such Member before he shall be permitted to sit or vote in the said Legislative Assembly.

"Given under my Hand and the Seal of the Territory, at Government House, Sydney, this thirtieth day of August, in the year of Our Lord One thousand eight hundred and fifty-nine, and in the twenty-third year of the Reign of Her Majesty Queen Victoria.

"W. DENISON.

"By His Excellency's Command, and with the advice of the Executive Council,

"CHARLES COWPER."

4. Vacant Seat :—Mr. Cowper,—having informed the House that Joseph Chambers, Esquire, had accepted Office as a Crown Prosecutor at Quarter Sessions,—moved, That the Seat of Joseph Chambers, Esquire, hath become and is now vacant by reason of his acceptance of Office as a Crown Prosecutor at Quarter Sessions within the Colony of New South Wales, since his election and return to serve in this House as Member for the Electoral District of East Maitland.  
Question put and passed.
5. Election Petition :—Mr. Cowper, *by Command*, laid upon the Table a Petition from Charles Kemp, of Sydney, against the election and return of Henry Parkes, Esquire, as one of the Members for the Electoral District of East Sydney.  
Ordered to lie on the Table.
6. Ordnance Lands Transfer Bill :—Mr. Cowper having *presented* this Bill, Bill, intituled "*A Bill for confirming the transfer to the Secretary at War in England from the Principal Offices of Ordnance there of certain Lands in New South Wales and for amending the Ordnance Land Act of Council 1840,*" read a first time.
7. Papers :—
  1. Mr. Cowper laid upon the Table the undermentioned Papers :—
    - (1.) Report from the Trustees of the Australian Museum, for 1858.
    - (2.) Despatch on the Administration of the Government of New South Wales, dated 18 May, 1859.
    - (3.) Report from the Trustees of the Sydney Grammar School, for 1858.
    - (4.) Report from the Postmaster General, for 1858.
    - (5.) List of Directors and Office Bearers of the Destitute Children's Society.
 Ordered to be printed.
  2. Mr. Bayley laid upon the Table the undermentioned Papers :—
    - (6.) Return to the Address, in reference to the cases *Regina v. Lang* and *Regina v. Fussell*, adopted, on motion of Mr. Plunkett, on the 9th March last.
    - (7.) Return to the Address, in reference to the case *Regina v. Doherty and Peckham*, adopted, on motion of Mr. Martin, on 6th April last.
 Ordered to be printed.
8. The Governor General's Opening Speech :—The Speaker reported that the House had this day attended His Excellency the Governor General in the Legislative Council Chamber, where His Excellency delivered an Opening Speech to both Houses of Parliament, of which, for greater accuracy, he had obtained a copy, which he then read to the House at length, as follows :—

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

I have much pleasure in addressing you as the first Parliament assembled under the Electoral Act of 1858, and I congratulate you upon the quiet and orderly manner in which the late General Election was conducted by the various Constituencies throughout the Colony.

2. I have called you together at the earliest possible period after the close of the Elections, and I entertain a hope that the time which remains at your disposal previous to the close of the year will be found sufficient for transacting the business of the country. The Representatives of the people having been chosen by free and unrestricted Suffrages, under an Electoral System of the most liberal character, it cannot now be urged as a reason for not dealing with the grave and important questions which have been repeatedly before Parliament that public opinion is not duly represented in the Assembly.

3. It affords me gratification to be enabled to state that the labours of the last Session are already producing very satisfactory results. Under the operation of the Districts Courts Act of 1858 justice is now being administered, both in the civil and criminal jurisdiction, throughout the various Districts of the interior; and with some modifications which experience may prove to be necessary, that Act promises to be a measure of great benefit to all classes of the community. Applications for the erection of Municipalities continue to be received from various parts of the Colony, and there are already evident proofs that the Municipalities Act of 1858 will be productive of those social and political advantages which are the usual accompaniments of local self-government.

4. Despatches explanatory of the present condition of the proposed Steam Postal Contract, *vid Suez* and *Mauritius*, with the Peninsular and Oriental Company, will be laid before you. The correspondence which has taken place between the Agent of the Colony and the Imperial authorities respecting Steam Postal Communication *vid Panama*, will also be submitted for your information. Tenders for this Service, to be sent in on the 1st of July last, had been invited by the Admiralty, and there appears reasonable grounds for the expectation that this object, so earnestly desired by the Colonists, will ere long be attained.

5. Since the dissolution of Parliament, the attention of the Government has been directed with much interest to the important subject of Telegraphic Communication with England. Documents referring to this question will be brought under your notice; and I trust that your deliberations may issue in the completion of arrangements by which we may soon have the benefit of this means of intercourse with all parts of the World.

6. The importance of this group of Colonies has at length been recognized by the establishment of a separate Naval Command in the Australian Seas; and considering the large interests at stake, both Imperial and Colonial, the number of Vessels of War will probably receive some further increase. I invite your attention to the state of the Fortifications of the Harbour, and recommend the completion, without delay, of such additional Batteries as are required for its proper protection. In order, however, to render these works available for the defence of the Harbour and City, a Military Force, properly trained and disciplined, must necessarily be maintained, and the strength and organization of that force demand your most serious consideration.

7. The separation of the District of Moreton Bay from the Colony of New South Wales, and its erection into a separate Colony, under the designation of Queensland, was notified in the *London Gazette* of the 3rd June last, but the legal instrument by which that separation has been effected not having yet reached the Colony, no change will at present be made in the administration of the affairs of this portion of the territory.

8. Considerable progress is being made in the construction of those lines of Railway for which funds were provided during the last year, and should no unexpected difficulty arise, it is probable that a large amount of the produce of the season of 1860 will be brought to the ports of shipment by them.

9. The lines of Telegraph to Bathurst and Maitland are also being proceeded with satisfactorily, and a proposal will be made to you to sanction the extension of this means of communication to Brisbane. There will also be proposed to you an extension of the Western Line to Mudgee, and of the Southern Line from Gundagai to Deniliquin, which latter being connected with the Victorian Lines at Echuca, will provide an additional means of communication with Melbourne and Adelaide.

10. Reforms and reductions have been made in several Departments of the Government; and with a view to promote still further the efficiency of the public service, and to reduce the expenditure, it may be desirable that the inquiry commenced during the last Parliament should be pursued by means of a Select Committee similar to that formerly appointed.

11. The question of Secondary Punishments is one of deep importance, and deserves your deliberate investigation, with a view to the adoption of measures for the more efficient treatment of criminals, and the improvement of Prison Discipline.

12. Considering the liberal provision which has been made for the higher branches of Education in the City of Sydney, it would appear equitable that encouragement should be given to the establishment of Public Grammar Schools in some of the larger towns, upon the principle adopted in Sydney, and I feel assured that Parliament will not be unwilling to make provision for such valuable institutions.

13. The want of a Free Public Library suitable to the requirements of Sydney as the Metropolitan City has long been deeply felt; and I venture to express a hope that during the present Session of Parliament steps will be taken for its establishment.

#### GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:—

14. The Public Revenue continues in a flourishing condition, and the investigation which was made during the last year into the Customs Department has produced very beneficial results.

15. A Supplementary Estimate for the present year, and the General Estimates for 1860, will be laid before you forthwith.

16. It is gratifying to me to be able to inform you that the sum of £150,000, which was deficient at the end of the year 1856, has been paid off out of the ordinary revenue of the Colony, and that the Act which was passed to authorize the raising of Debentures to provide for that amount, will not now be required. A Bill will accordingly be proposed for its repeal.

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

17. By the third clause of the Constitution Act it is provided that those Members of the first Legislative Council who shall be summoned by the Governor, with the advice of the Executive Council, shall hold their respective seats for five years from the date of the first summons to the said Legislative Council; but, that all future Members of the said Legislative Council, who shall be summoned thereto after the expiration of the said five years, shall hold their seats therein for life. The Government has, after mature deliberation, arrived at the conviction, that this portion of the Constitution Act should be amended, and I recommend to your notice a Bill which will be introduced for making the Legislative Council elective. As the five years alluded to will expire in the year 1861, this Bill is evidently of pressing importance.

18. Measures for regulating the Sale and Occupation of the Crown Lands will also at an early period be brought under your consideration, and I trust that Laws relating to these questions may be passed based upon sound and equitable principles, and dictated by an enlightened policy.

19. The unsatisfactory state of Elementary Education is such as to require immediate attention. A Bill to provide more effectually for the instruction of the youth of this Colony will shortly be presented to you.

20. Bills for the repeal of the Schedule to the Constitution Act in reference to Public Worship, and for amending the Schedule which provides for Pensions to the Judges of the Supreme Court, for facilitating the Transfer of Land, for the amendment of the Insolvent Law, the Customs Laws, and the Laws relating to the Licensing of Publicans, will also be submitted to you, as well as other measures of legal and social improvement.

21. In these, and all other matters which may claim your attention, I pray that Almighty God may guide your labours, and render them conducive to the happiness and permanent prosperity of this Colony.

Mr. Douglass then moved, and Mr. Gray seconded the motion,—

(1.) That a Select Committee be appointed to prepare an Address in reply to the Speech delivered by His Excellency the Governor General on opening this First Session of the Third Parliament of New South Wales.

(2.) That such Committee consist of the following Members, viz.:—Mr. Black, Mr. Jones, Mr. Morris, Mr. Wilson, Mr. Hay, Mr. Robertson, Mr. Murray, and the Mover and Seconder,—

And exception being taken by Mr. Murray to his name being placed on the Committee,—

And the Speaker quoting the Parliamentary rule that every Member intending to move for the appointment of a Select Committee, is to endeavour to ascertain previously whether each Member proposed to be named by him on such Committee will give his attendance thereupon,—

Mr. Douglass, by leave, amended his motion by withdrawing from the proposed Committee the names of Mr. Hay and Mr. Murray,—

Whereupon Question, as so amended, put and passed,—

And the Committee retired to prepare the Address.

Mr. Douglass having brought up the Address prepared by the Committee, the same was read by the Clerk, on motion of Mr. Douglass, as follows:—

*"To His Excellency SIR WILLIAM THOMAS DENISON, Knight Commander  
"of the Most Honorable Order of the Bath, Governor General in and  
"over all Her Majesty's Colonies of New South Wales, Tasmania,  
"Victoria, South Australia, and Western Australia, and Captain-  
"General and Governor-in-Chief of the Territory of New South Wales  
"and its Dependencies, and Vice-Admiral of the same."*

"MAY IT PLEASE YOUR EXCELLENCY,—

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

"We agree with Your Excellency, that it is a matter of congratulation that the late General Election was conducted in so orderly and quiet a manner by the various Constituencies throughout the Colony; and we also concur with Your Excellency in the opinion, that no grounds can now exist for hesitating to deal with the grave and important questions which require the decision of Parliament.

"We are glad to find that the labors of the last Session are already producing results of such a gratifying character, and that the operations under the District Courts Act, throughout the interior, and the establishment of Corporations, under the Municipalities Act, are proceeding so satisfactorily.

"It affords us pleasure to find that there is a prospect of Steam Postal Communication being at no distant period established *via* Panama; and that a proposition is before the Government in reference to the important subject of Telegraphic Communication with England. We shall be glad if the proposed arrangement is such as Parliament may feel justified in sanctioning.

"The announcement that a separate Naval Command has been established in the Australian Seas, and that the number of Vessels of War on the Station has been increased, affords us much satisfaction. We shall be prepared to consider with the attention which it merits, the proposal to complete such additional Batteries as may be required for the protection of the Harbour and City, and to provide the Military Force necessary to render these Works available for defence.

"It is satisfactory to us to be informed that progress is being made in the construction of the authorized lines of Railway, and also that lines of Telegraphic Communication are being extended in various directions among the different Districts of this Colony, as well as with the adjoining Colonies.

"The grave questions of Departmental Reform, with reference both to increasing the efficiency of the Public Service, and reducing the expenditure, and also of Secondary Punishments, will form proper subjects for our deliberate inquiry, and we shall be prepared to consider the best means of investigating matters of such importance.

"We shall be willing to give every consideration to a proposal for the establishment of a Free Public Library in the City of Sydney, and of Grammar Schools in some of the larger Towns.

"We



" We are glad to learn that the Public Revenue continues in a flourishing condition, and that the deficiency of £150,000, at the end of the year 1856, has been paid out of the ordinary revenue.

" The various Bills to which your Excellency alludes shall be carefully considered by us, with an earnest desire to produce such measures as, under the blessing of Almighty God, may be conducive to the happiness and prosperity of the Colony."

Mr. Douglass then moved, That the Address in reply to the Governor General's Opening Speech, as read by the Clerk, be now adopted by this House.

Debate ensued.

Mr. Darvall moved, That the Debate be adjourned until to-morrow..

Debate continued.

Motion for adjournment of the Debate until to-morrow by leave withdrawn..

Debate continued.

Original Question put and passed.

The House adjourned, on motion of Mr. Cowper, at half-past Six o'clock, until to-morrow at half-past Two o'clock, to present to the Governor General their Address in reply to His Excellency's Opening Speech.

## NOTICES OF MOTION.

THURSDAY, SEPTEMBER 1.

MEMO. :—The House meet this day at half-past Two o'clock, P.M., to proceed to Government House, and there present to the Governor General their Address in reply to His Excellency's Opening Speech.

*Contingent Notice of Motion :—*

1. MR. MURRAY to move as an amendment, That William Richman Piddington, Esquire, be Chairman of Committees of the whole House during the present Session.

NOTICES OF MOTION :—

1. MR. COWPER to move, that William Munnings Arnold, Esquire, be Chairman of Committees of the whole House, during the present Session.
2. MR. COWPER to move, That the Standing Orders Committee for the present Session consist of the following Members, viz. :—The Speaker, Mr. Arnold, Mr. Cowper, Mr. Darvall, Mr. Forster, Mr. Hargrave, Mr. Jones, Mr. Martin, Mr. Piddington, and Mr. Plunkett, with an instruction to prepare such Standing Rules and Orders as shall appear best adapted for the orderly conduct of the Business of this House, and to report the same with as little delay as possible; and with leave to sit during any adjournment, and authority to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.
3. MR. COWPER to move, That the Library Committee for the present Session consist of the following Members, viz. :—The Speaker, Mr. Arnold, Mr. Bayley, Mr. Cowper, Mr. Forster, Mr. Hay, Mr. Jones, Mr. Martin, Mr. Murray, and Mr. Scott, with leave to sit during any adjournment, and authority to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.
4. MR. COWPER to move, That, unless otherwise ordered, this House will meet for Dispatch of Business, at Three o'clock, P.M., on Tuesday, Wednesday, Thursday, and Friday, in each week.
5. MR. COWPER to move, That on Wednesday and Thursday in each week, Government Business take precedence of all other Business.
6. MR. COWPER to move, That the Order respecting the transmission of Messages, agreed to by the two Houses during the Session of 1856-7, stand as a Sessional Order of this House for the present Session.
7. MR. COWPER to move, That it be an Order of this House for the present Session, that if, at any time after the commencement of the Business of the day, notice be taken that there is not a Quorum of Members present, the Sergeant-at-Arms, by direction of the Speaker, shall ring the Division Bell before the Speaker proceed to count the House.
8. MR. COWPER to move, That, until Standing Rules and Orders be formally adopted, this House will observe the Standing Rules and Orders in force during the last Parliament.
9. MR. COWPER to move, That, unless otherwise ordered, the resumption of the Committee of Supply stand an Order of the Day, as of course, on each day on which Government Business shall have precedence.

*Questions*

*Questions:—*

1. **MR. MARTIN to ask THE COLONIAL SECRETARY,—**  
 (1.) Whether Mr. Chambers, who at the late General Election was returned as the Member for East Maitland, did not apply; and if so, when and how did he apply, and to what Minister or Ministers, for an appointment under the District Courts Act before any appointments whatever had been made under that Act, and whether any and what answers were given to such application?  
 (2.) Whether the appointment recently conferred on Mr. Chambers was conferred unsolicited, and when the offer was made, and by what Minister, and in what terms?
  2. **MR. MARTIN to ask THE COLONIAL SECRETARY,—**Whether, with reference to any prosecution under the law for regulating the business of a licensed publican, any letter has been written to any Justices of the Peace acting for the District of Sydney intimating that in the opinion of the Government no conviction should take place—the case not being within the spirit of the enactment, and that in the event of any future conviction the Government would remit the penalty; and, if so, when was such letter sent, and what are its terms?
  3. **MR. MARTIN to ask THE COLONIAL SECRETARY,—**Whether a Justice of the Peace was lately sent to Berrima to hear a charge made against another Justice of the Peace, a member of that Bench; and, if so, when was such Justice so sent, and on what grounds?
  4. **MR. PLUNKETT to ask THE COLONIAL SECRETARY,—**In reference to a motion made and carried in the late House of Assembly on the 8th day of February last, and which is recorded in the Votes and Proceedings, as follows,—  
 "3. Lands Granted to the Several Religious Denominations:—Mr. Plunkett moved, "pursuant to notice, That an Address be presented to the Governor General, praying "that His Excellency will be pleased to direct the following Returns to be laid on "the Table of this House:—  
 "(1.) A list of all properties in land belonging to the several Religious bodies in "this Colony, obtained from the Crown by grant or otherwise.  
 "(2.) A list of lands originally intended for Glebes, stating the use to which they "are now applied, the income derived therefrom, and for whose benefit.  
 "(3.) An account of sales or other disposition of those lands originally intended for "the Bishop's maintenance, now known as Bishopsthorpe, near the Sydney Uni-  
 "versity; the quantity still unsold, and the income derivable from the whole of said "property, under the Act of Council passed in November, 1855.  
 "Question put and passed."
- Why these Returns had not been accordingly laid on the Table of the House before its dissolution, which took place on the 9th day of April, or why they have not even been published since that time, as other Parliamentary Papers have been, in accordance with the usage observed in such cases?
5. **MR. WINDEYER to ask MR. ROBERTSON,—**Whether it is the intention of the Govern-  
 ment to introduce during the present Session of Parliament any measure for the  
 drainage of the alluvial lands of the Hunter River, founded upon the evidence taken  
 by the Select Committee appointed by the late Assembly to inquire into the subject?
  6. **MR. PARKES to ask THE COLONIAL SECRETARY,—**When the Government will be  
 prepared to lay upon the Table of this House, the Return of certain particulars of the  
 Public Expenditure for the seven years ending 1858, which, on the motion of Mr.  
 Parkes, was ordered by the late Assembly, 28 May, 1858?

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FRIDAY, SEPTEMBER 2.

## NOTICE OF MOTION:—

1. **MR. PARKES to move,—**  
 (1.) That in the opinion of this House all Customs duties on tea and sugar, which  
 articles are common necessities of life to the people of New South Wales, ought to be  
 forthwith repealed.  
 (2.) That an Address embodying the foregoing Resolution be presented to the Governor  
 General, praying that His Excellency will be pleased to cause the Estimates of Revenue  
 to be prepared with a view to the immediate repeal of all such duties.

*Question:—*

1. **MR. SAMUEL to ask THE HONORABLE THE COLONIAL TREASURER,—**  
 (1.) The state of the Government Account with Messrs. Lloyd, Beilby and Co., at the  
 time that firm suspended payment?  
 (2.) The date and amount of Messrs. Lloyd, Beilby and Co.'s last draft on the Oriental  
 Bank, London, on account of the Government?  
 (3.) Had Messrs. Lloyd, Beilby and Co. power to draw the Government funds without  
 the production of shipping documents; if so, to what extent?  
 (4.) Do the Government hold any security from Messrs. Lloyd, Beilby and Co.; if so,  
 what is the nature and amount of it, and when was it taken?  
 (5.) Is it the intention of the Government to make any change in the Agency?

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TUESDAY,

TUESDAY, SEPTEMBER 6.

NOTICE OF MOTION :—

1. MR. MURRAY to move for the appointment of a Select Committee to inquire into the present state of the University of Sydney.
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WEDNESDAY, SEPTEMBER 7.

NOTICES OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
  2. MR. ROBERTSON to move for leave to bring in a Bill to enable the Commissioner of Railways to construct a Tramway from the Railway Terminus at Redfern, to the Semi-Circular Quay in Sydney Cove.
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THURSDAY, SEPTEMBER 8.

NOTICE OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to repeal the Sydney Necropolis Act, 11 Victoria, No. 11.

DANIEL COOPER,  
*Speaker.*

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No. 3.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

THURSDAY, 1 SEPTEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Address in reply to the Governor General's Opening Speech:—On motion of Mr. Cowper, the Assembly proceeded to Government House, there to present to the Governor General their Address in reply to His Excellency's Opening Speech;—  
 And, having returned, the Speaker reported that the Assembly had been to Government House, and there presented to the Governor General their Address in reply to His Excellency's Opening Speech, and that His Excellency had been pleased to make thereto the following answer:—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,

I thank you for the Address which you have just presented.

I have every confidence in the assurance which it gives of your loyalty and affection towards Her Majesty's person and Government; and I feel certain that you will address yourselves to your arduous duties with an earnest desire to promote the happiness and prosperity of the Colony.

W. DENISON.

## 2. Papers:—

## 1. Mr. Cowper laid upon the Table the undermentioned Papers:—

- (1.) Return, in part, to the Order in reference to School Statistics, made by this House, on motion of Mr. Plunkett, on 24th November, 1858.
- (2.) Despatch respecting German Immigration, dated 24th March, 1859.
- (3.) Despatches respecting Postage on Newspapers, dated 5th and 16th March, 1859.
- (4.) Despatch enclosing Postal Time Table for India, China, and Australia, for 1859.
- (5.) Correspondence with Mr. Edward C. Merewether on the subject of Steam Postal Service *via* Panama.
- (6.) Report from the Commissioners of National Education, for the year 1858.
- (7.) Report from the Health Officer of Moreton Bay, for the year 1858.
- (8.) Despatch respecting Naval Colonial Allowance, dated 10th March, 1859.
- (9.) Despatch respecting Divorce and Matrimonial Causes, dated 12th April, 1858.
- (10.) Correspondence with Diggers' Employment Committee.
- (11.) Fifth and final Report from Diggers' Employment Committee.
- (12.) Abstracts of the Public Accounts of the Colony of New South Wales, for the year 1858.
- (13.) Return to the Address, in reference to the Schedule for Public Worship, adopted, on motion of Mr. Piddington, on the 8th March last.

Ordered to be printed.

## 2. Mr. Bayley laid upon the Table the undermentioned Paper:—

- (14.) Return to the Address; in reference to Mr. Colin Mackenzie's, appointment as Chief Registrar of a District Court, adopted, on motion of Mr. Forster, on the 22nd March last.

Ordered to be printed.

## 3. Mr. Frederick Dunbar:—Mr. Parkes presented a Petition from Frederick Dunbar, late a Captain in Her Majesty's 39th Regiment of Foot, praying satisfaction for the injury he has sustained by his dismissal from the office of Clerk of Petty Sessions for Wellingrove.

Petition received.

## 4. State Aid to Religion:—Mr. Wisdom presented the following Petitions:—

- (1.) From certain Residents on the Western Gold Fields, praying that an exception be made in favour of the Gold Fields, should State Aid to Religion be withdrawn in other parts of the Colony.

Petition received.

- (2.) From certain Residents on the Western Gold Fields, with a similar prayer.

Petition received.

(3.)

(3.) From certain Members of the Church of England, Church of Rome, and certain Presbyterians and Wesleyans, expressive of their conviction that the House did not intend, by its decision in reference to the Supplement to the Schedule for Public Worship, to deprive the numerous and peculiarly circumstanced community at the Gold Fields of Religious instruction, and praying relief.

Petition received.

5. Messrs. James and Alexander Brown :—Mr. Hodgson presented a Petition from James and Alexander Brown, of Minmi and Newcastle, representing that certain promised Wharfage accommodation has not been extended to them by Government, and praying relief.

Petition received.

6. Mr. David Morris :—Mr. Hodgson presented a Petition from David Morris, of Newcastle, complaining of his ejection from certain lands leased by him at Honeysuckle Point, and of his house having been pulled down by order of the Commissioner of Railways, and praying that redress which he has utterly failed to obtain in any other way.

Petition received.

7. Chairman of Committees :—Mr. Cowper moved, pursuant to notice, That "William Munnings Arnold," Esquire, be Chairman of Committees of the whole House, during the present Session.

Mr. Murray moved, pursuant to *contingent* notice, That the Question be amended by the omission of the words "William Munnings Arnold," with a view to the insertion in their place of the words "William Richman Piddington."

Debate ensued.

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

The House divided:

#### Ayes, 33

Mr. Cowper,	Mr. Laycock,
Mr. Bayley,	Mr. Wilson,
Mr. Robertson,	Mr. Flett,
Mr. Weekes,	Mr. McArthur,
Mr. Hargrave,	Mr. Dark,
Mr. Gray,	Mr. Handcock,
Mr. Byrnes,	Mr. Pemell,
Mr. Asher,	Mr. G. Lang,
Mr. Black,	Mr. Garrett,
Mr. Douglass,	Mr. Cribb,
Mr. Jones,	Rev. Dr. Lang,
Mr. Atkinson,	Mr. Campbell,
Mr. Jamison,	Mr. Rotton,
Mr. Cooper,	Mr. Oakes,
Mr. Wisdom,	Mr. Scott,
Mr. Richardson,	
Mr. Dalley,	
Mr. Sayers,	

} Tellers.

#### Noes, 36.

Mr. Murray,	Mr. Cummings,
Mr. Hay,	Mr. Hieronimus,
Mr. Hamilton,	Mr. Flood,
Mr. Nott,	Mr. Ryan,
Mr. Cape,	Mr. Macphillamy,
Mr. Darvall,	Mr. Macleay,
Mr. Clements,	Mr. Lord,
Mr. Samuel,	Mr. Broughton,
Mr. Wild,	Mr. Morris,
Mr. Parkes,	Mr. Egan,
Mr. Windeyer,	Mr. Forster,
Mr. Mort,	Mr. Walsh,
Mr. Luder,	Mr. Elliott,
Mr. Lyons,	Mr. Jenkins,
Mr. Hart,	Mr. Hodgson,
Mr. Oxley,	Mr. Plunkett,
Mr. Hurley,	Mr. Roberts,
Mr. Watt,	Mr. Martin,

} Tellers.

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

Question,—That William Richman Piddington, Esquire, be Chairman of Committees of the whole House, during the present Session,—put and passed;

Whereupon Mr. Piddington made his acknowledgments to the House.

8. Standing Orders Committee :—Mr. Cowper moved, pursuant to amended notice,—That the Standing Orders Committee for the present Session consist of the following Members, viz. :—The Speaker, Mr. Arnold, Mr. Cowper, Mr. Darvall, Mr. Hargrave, Mr. Hay, Mr. Jones, Mr. Martin, Mr. Piddington, and Mr. Plunkett, with an instruction to prepare such Standing Rules and Orders as shall appear best adapted for the orderly conduct of the Business of this House, and to report the same with as little delay as possible; and with leave to sit during any adjournment, and authority to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.

Question put and passed.

9. Library Committee :—Mr. Cowper moved, pursuant to amended notice,—That the Library Committee for the present Session consist of the following Members, viz. :—The Speaker, Mr. Arnold, Mr. Bayley, Mr. Black, Mr. Cowper, Mr. Hay, Mr. Jones, Mr. Martin, Mr. Murray, and Mr. Scott, with leave to sit during any adjournment, and authority to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.

Question put and passed.

10. Days for Dispatch of General Business :—Mr. Cowper moved, pursuant to notice, That, unless otherwise ordered, this House will meet for Dispatch of Business, at Three o'clock, P.M., on Tuesday, Wednesday, Thursday, and Friday, in each week.

Debate, on motion of Mr. Murray, adjourned until to-morrow, with precedence over all other Business.

11. Days for Dispatch of Government Business :—Mr. Cowper moved, pursuant to notice, That on Wednesday and Thursday in each week, Government Business take precedence of all other Business.

Question put and passed.

12. Transmission of Messages between the two Houses :—Mr. Cowper moved, pursuant to notice, That the Order respecting the transmission of Messages, agreed to by the two Houses during the Session of 1856-7, stand as a Sessional Order of this House for the present Session.

Question put and passed.

13. **Counting the House:**—Mr. Cowper moved, pursuant to notice, That it be an Order of this House for the present Session, that if, at any time after the commencement of the Business of the day, notice be taken that there is not a Quorum of Members present, the Sergeant-at-Arms, by direction of the Speaker, shall ring the Division Bell before the Speaker proceed to count the House.  
Question put and passed.
14. **Temporary Observance of Standing Orders of last Parliament:**—Mr. Cowper moved, pursuant to notice, That, until Standing Rules and Orders be formally adopted, this House will observe the Standing Rules and Orders in force during the last Parliament.  
Question put and passed.
15. **Days for Committee of Supply:**—Mr. Cowper moved, pursuant to notice, That, unless otherwise ordered, the resumption of the Committee of Supply stand an Order of the Day, as of course, on each day on which Government Business shall have precedence.  
Question put and passed.

The House adjourned at twenty minutes before Ten o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, SEPTEMBER 2.

### ORDER OF THE DAY:—

1. Resumption of the adjourned Debate on the motion of Mr. Cowper, "That, unless otherwise ordered, this House will meet for Dispatch of Business, at Three o'clock, P.M., on Tuesday, Wednesday, Thursday, and Friday, in each week."

### NOTICES OF MOTION:—

1. **MR. PARKES** to move,—  
(1.) That in the opinion of this House all Customs duties on tea and sugar, which articles are common necessities of life to the people of New South Wales, ought to be forthwith repealed.  
(2.) That an Address embodying the foregoing Resolution be presented to the Governor General, praying that His Excellency will be pleased to cause the Estimates of Revenue to be prepared with a view to the immediate repeal of all such duties.
2. **MR. WISDOM** to move, That the three Petitions from the Western Gold Fields, relative to State Aid to Religion, presented by him on the 1st instant, be printed.
3. **MR. WILD** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all depositions taken at the enquiry lately held at Berrima, in reference to the conduct of H. M. Oxley, Esq.; and also, Copies of all documents and correspondence, whether Minutes of the Executive Council, Letters to Magistrates, or other Papers relating directly or indirectly to the case.
4. **MR. MARTIN** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth,—  
(1.) Copies of two Informations filed at the Central Police Office, Sydney, by Timothie Cheval against John Poehlman, under the 17 Vic., No. 31, sec. 9, with respect to which the Bench, on the 20th April, 1859, declined to interfere, together with the reasons given by them for their so declining.  
(2.) Copies of certain letters, dated respectively the 9th February, 1859, and the 9th April, 1859, written by the Colonial Treasurer to the Sydney Bench, in reference to prosecutions under the before-mentioned section.  
(3.) A Copy of an Information filed at the Central Police Office, Sydney, by James Singleton against Ralph Tolano, on the 26th March, 1859, under the before-mentioned section 9, which information was dismissed, together with the reasons given by the Bench for such dismissal.

### Questions:—

1. **MR. SAMUEL** to ask THE HONORABLE THE COLONIAL TREASURER,—  
(1.) The state of the Government Account with Messrs. Lloyd, Beilby and Co., at the time that firm suspended payment?  
(2.) The date and amount of Messrs. Lloyd, Beilby and Co.'s last draft on the Oriental Bank, London, on account of the Government?  
(3.) Had Messrs. Lloyd, Beilby and Co. power to draw the Government funds without the production of shipping documents; if so, to what extent?  
(4.) Do the Government hold any security from Messrs. Lloyd, Beilby and Co.; if so, what is the nature and amount of it, and when was it taken?  
(5.) Is it the intention of the Government to make any change in the Agency?

2. **MR. FORSTER to ask THE HONORABLE THE COLONIAL SECRETARY,—**  
 (1.) With reference to a Notice, signed by Norton, Son, and Barker, dated August 22nd and published in the *Government Gazette* of August 26th, 1859, to the effect that "application is intended to be made to Parliament" in the present Session, "on behalf of the Right Reverend the Lord Bishop of Sydney, the Right Reverend the Lord Bishop of Newcastle, and other Members of the United Church of England and Ireland, for leave to introduce a Bill to enable the Bishops, Clergy, and Laity of the said Church in New South Wales, to regulate the affairs of the said Church, and to authorize the holding of Provincial Synods in the said Colony,"—have any communications, verbal or otherwise, been received by the Government, from the Bishop of Sydney, or any other person or persons, on the subject of the Bill above specified?  
 (2.) Should such Bill be introduced, will it be supported by the present Government?
3. **MR. PARKES to ask MR. ROBERTSON,—**What steps are intended to be taken in settlement of the disputes between the Government and the proprietors of land on the shores of Woolloomooloo Bay?
4. **MR. CLEMENTS to ask THE HONORABLE THE SECRETARY FOR LANDS AND WORKS,—**  
 (1.) What progress has been made with the survey of Railway line to Bathurst?  
 (2.) What is the strength of the party employed in the survey?

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TUESDAY, SEPTEMBER 6.

OTHER BUSINESS—NOTICES OF MOTION:—

1. **MR. MURRAY to move** for the appointment of a Select Committee to inquire into the present state of the University of Sydney.
2. **MR. FLOOD to move**, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of the Regulations (published in the Second Supplement of the *Government Gazette*, on Friday, 26th ultimo) for facilitating Immigration from the Continent of Europe of relations and friends of persons naturalized in New South Wales.
3. **MR. FORSTER to move** for leave to introduce a Bill to alter and amend the Act of Council 16 Vict., No. 33, intituled "The Police Regulation Act."
4. **MR. HODGSON to move**, That the Petition of Messrs. J. and A. Brown, coal proprietors, at Newcastle, presented by him on the 1st instant, be printed.
5. **MR. HODGSON to move**, That the Petition of Mr. David Morris, presented by him on the 1st instant, be printed.

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WEDNESDAY, SEPTEMBER 7.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. **MR. ROBERTSON to move** for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. **MR. ROBERTSON to move** for leave to bring in a Bill to enable the Commissioner of Railways to construct a Tramway from the Railway Terminus at Redfern, to the Semi-Circular Quay in Sydney Cove.
3. **MR. BAYLEY to move** for leave to bring in a Bill to amend the practice relating to New Trial Motions.

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THURSDAY, SEPTEMBER 8.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. **MR. ROBERTSON to move** for leave to bring in a Bill to repeal the Sydney Necropolis Act, 11 Victoria, No. 11.

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FRIDAY, SEPTEMBER 9.

OTHER BUSINESS—NOTICE OF MOTION:—

1. **MR. HART to move** for leave to bring in a Bill to define the time within which Members of Parliament shall be ineligible to accept Office under the Crown.

Questions:—

1. **MR. DARK to ask THE HONORABLE THE ATTORNEY GENERAL,—**When it is the intention of the Government to proclaim Dungog and Stroud places where District Courts shall be held; and, when such Courts will be brought into operation?
2. **MR. DARK to ask THE HONORABLE THE COLONIAL SECRETARY,—**If, during the present Session, it is the intention of Government to take any steps having reference to the classification and full employment of all male convicts in Her Majesty's Gaols in this Colony?

DANIEL COOPER,  
Speaker.

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No. 4.

## VOTES AND PROCEEDINGS

OF THE

# LEGISLATIVE ASSEMBLY.

FRIDAY, 2 SEPTEMBER, 1859.

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

**" LEGISLATIVE ASSEMBLY.**  
*" By the Honorable the Speaker of the Legislative Assembly*  
*" of New South Wales.*

" Pursuant to the power in that behalf vested in me, as Speaker of the Legislative  
 " Assembly of New South Wales, by the Electoral Act of 1858, I do hereby appoint  
     " John Fletcher Hargrave, Esquire,  
     " The Honorable John Hay, Esquire,  
     " Richard Jones, Esquire,  
     " John Hubert Plunkett, Esquire,  
     " Alexander Walker Scott, Esquire,  
     " Edward Charles Close, Esquire,  
     " Alexander M'Arthur, Esquire,  
 " being Members of the said Assembly, to be Members of the Committee of Elections  
 " and Qualifications in the said Act referred to, during the present Session of the  
 " Assembly aforesaid.  
     " Given under my Hand, at the Legislative Assembly Chamber,  
     " Macquarie-street, Sydney, this second day of September, in  
     " the year of our Lord one thousand eight hundred and fifty-nine.  
                                 " DANIEL COOPER,  
   " Speaker."
2. Vacant Seat:—The Speaker having reported that he had received a letter, dated this day, from Thomas Laidlaw, Esquire, resigning his Seat in this House as Member for Yass Plains,—  
 Mr. Flood moved, That the Seat of Thomas Laidlaw, Esq., as Member for the Electoral District of Yass Plains, hath become, and is now vacant, by reason of the resignation thereof by the said Thomas Laidlaw, Esquire.  
 Question put and passed.
3. Wynyard Square:—Mr. Plunkett presented a Petition from certain Landed Proprietors and Residents in the vicinity of Wynyard Square, in the City of Sydney, complaining of delay in the formation of this Public Square, and praying that justice which inquiry may show them to be entitled to.  
 Petition received.
4. Papers:—
  1. Mr. Bayley laid upon the Table the undermentioned Papers:—
    - (1.) Rules of Court Promulgated by their Honors the Judges of the Supreme Court, on 13 August last.
    - (2.) Rules of Court Promulgated by His Honor the Resident Judge at Moreton Bay, on 9th June last.
 Ordered to be printed.
  2. Mr. Robertson laid upon the Table the undermentioned Paper:—
    - (3.) Local Court Rules, Araluen Valley.
 Ordered to be printed.
  3. Mr. Cowper laid upon the Table the undermentioned Papers:—
    - (4.) Despatch respecting Steam Postal Communication, dated 12th April, 1859.
    - (5.) Report from the Medical Adviser to Government on Vaccination for the year 1858.
 Ordered to be printed.

4. Mr. Weekes laid upon the Table the undermentioned Papers:—  
 (6.) Bank Liabilities and Assets for the quarter ended 31st March, 1859.  
 (7.) Bank Liabilities and Assets for the quarter ended 30th June, 1859.  
 (8.) Trust Moneys Deposit Account from 1st April, 1858, to 31st March, 1859.  
 (9.) Despatches and Reports relative to Coinage at the Sydney Branch of the Royal Mint.

Ordered to be printed.

5. Days for Dispatch of General Business:—The adjourned Debate on Mr. Cowper's motion, "That, unless otherwise ordered, this House will meet for dispatch of Business at three o'clock p.m., on 'Tuesday,' Wednesday, Thursday, and Friday, in each week,"—resumed.

Mr. Murray moved, That the Question be amended by the insertion before the word "Tuesday," of the word "Monday."

Debate continued.

Question put,—That the word proposed to be inserted before the word "Tuesday," be there inserted.

The House divided.

#### Ayes, 24.

Mr. Watt,	Mr. G. Lang,	
Mr. Cummings,	Mr. Garrett,	
Mr. Clements,	Mr. Pennell,	
Mr. Gray,	Mr. Hancock,	
Mr. Macphillamy,	Rev. Dr. Lang,	
Mr. Plunkett,	Mr. Samuel,	
Mr. Elliott,	Mr. Murray,	} Tellers.
Mr. Loder,		
Mr. Macleay,		
Mr. Hamilton,		
Mr. Hieronimus,		
Mr. Laycock,		
Mr. Ryan,		
Mr. Hurley,		
Mr. Forster,		
Mr. Russell,		
Mr. Wilson,		

#### Noes, 34.

Mr. Cowper,	Mr. Flett,	
Mr. Robertson,	Mr. Broughton,	
Mr. Weekes,	Mr. Sayers,	
Mr. Hargrave,	Mr. Parkes,	
Mr. Bayley,	Mr. Windeyer,	
Mr. Darvall,	Mr. Cape,	
Mr. Morris,	Mr. Atkinson,	
Mr. Nott,	Mr. McArthur,	
Mr. Wild,	Mr. Wisdom,	
Mr. Hodgson,	Mr. Flood,	
Mr. Mort,	Mr. Egan,	
Mr. Black,	Mr. Lyons,	
Mr. Hay,	Mr. Roberts,	
Mr. Jones,	Mr. Asher,	
Mr. Cribb,	Mr. Scott,	
Mr. Rotton,	Mr. Irving,	
Mr. Piddington,	Mr. Close,	} Tellers.

Whereupon Original Question put and passed.

6. Customs Duties on Tea and Sugar:—Mr. Parkes moved, pursuant to notice, —  
 (1.) That in the opinion of this House all Customs duties on tea and sugar, which articles are common necessities of life to the people of New South Wales, ought to be forthwith repealed.

(2.) That an Address embodying the foregoing Resolution be presented to the Governor General, praying that His Excellency will be pleased to cause the Estimates of Revenue to be prepared with a view to the immediate repeal of all such duties.

Mr. Weekes moved the Previous Question.

Debate ensued.

Previous Question put,—That this Question be now put.

The House divided.

#### Ayes, 30.

Mr. Clements,	Mr. Pennell,	
Mr. Nott,	Mr. Ryan,	
Mr. Piddington,	Mr. Flood,	
Mr. Murray,	Mr. Hurley,	
Mr. Hamilton,	Mr. Hieronimus,	
Mr. Parkes,	Mr. Plunkett,	
Mr. Elliott,	Mr. Wilson,	
Mr. Roberts,	Mr. Hay,	
Mr. Forster,	Mr. Sayers,	
Mr. Loder,	Mr. Watt,	
Mr. Macphillamy,	Mr. Darvall,	
Mr. Egan,	Mr. Lyons,	
Mr. Cape,	Mr. Broughton,	
Mr. Cummings,	Mr. Windeyer,	
Mr. Laycock,	Mr. Wild,	} Tellers.

#### Noes, 26.

Mr. Cowper,	Mr. Flett,	
Mr. Irving,	Mr. Hancock,	
Mr. Weekes,	Mr. Wisdom,	
Mr. Bayley,	Mr. McArthur,	
Mr. Robertson,	Mr. G. Lang,	
Mr. Hargrave,	Mr. Scott,	
Mr. Morris,	Mr. Cribb,	
Mr. Mort,	Mr. Gray,	
Mr. Close,	Mr. Asher,	
Mr. Rotton,	Mr. Dalley,	
Mr. Douglass,	Mr. Arnold,	} Tellers.
Mr. Jones,		
Mr. Garrett,		
Mr. Black,		
Mr. Atkinson,		

Whereupon original Question put,—

The House divided.

#### Ayes, 29.

Mr. Clements,	Mr. Laycock,	
Mr. Nott,	Mr. Hieronimus,	
Mr. Piddington,	Mr. Flood,	
Mr. Murray,	Mr. Hurley,	
Mr. Hamilton,	Mr. Pennell,	
Mr. Parkes,	Mr. Lyons,	
Mr. Elliott,	Mr. Broughton,	
Mr. Roberts,	Mr. Darvall,	
Mr. Forster,	Mr. Watt,	
Mr. Loder,	Mr. Sayers,	
Mr. Macphillamy,	Mr. Wilson,	
Mr. Egan,	Mr. Plunkett,	
Mr. Cape,	Mr. Wild,	
Mr. Cummings,	Mr. Windeyer,	} Tellers.
Mr. Ryan,		

#### Noes, 28.

Mr. Cowper,	Mr. Black,	
Mr. Irving,	Mr. Atkinson,	
Mr. Weekes,	Mr. Flett,	
Mr. Bayley,	Mr. Hodgson,	
Mr. Robertson,	Mr. Hancock,	
Mr. Hargrave,	Mr. Wisdom,	
Mr. Morris,	Mr. McArthur,	
Mr. Mort,	Mr. G. Lang,	
Mr. Close,	Mr. Scott,	
Mr. Rotton,	Mr. Cribb,	
Mr. Douglass,	Mr. Gray,	
Mr. Jones,	Mr. Asher,	
Mr. Hay,	Mr. Arnold,	
Mr. Garrett,	Mr. Dalley,	} Tellers.

And

And notice being taken that there was an error in the numbers declared on the first division, occasioned by the omission of the name of Mr. Hodgson, who sat at the Table on the side with those Members who voted in the negative,—

The Speaker requested Mr. Hodgson to say whether or no he was in the House on occasion of the Division on the Previous Question,—

And Mr. Hodgson stating that he was in the House,—

The Speaker requested him to say on which side he had voted on that occasion,—

And Mr. Hodgson having declared that he had voted with the Noes,—

The Speaker ordered the name of Mr. Hodgson to be added to the Tellers' List for the Noes, and declared the numbers in the Division on the Previous Question to have been, Ayes 30, Noes 27.

The Speaker then observed that the Tellers had fallen into this error in consequence of Mr. Hodgson being seated at the Table, and requested Honorable Members to seat themselves in future on the benches at the side on which they intend to vote.

7. State Aid to Religion :—Mr. Wisdom moved, pursuant to notice, That the three Petitions from the Western Gold Fields, relative to State Aid to Religion, presented by him on the 1st instant, be printed.

Question put and passed.

Ordered to be printed.

8. Inquiry at Berrima into the Conduct of H. M. Oxley, Esquire :—Mr. Wild moved, pursuant to amended notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all documents and correspondence, whether Minutes of the Executive Council, Letters to Magistrates, or other Papers relating directly or indirectly to the inquiry lately held at Berrima, in reference to the conduct of H. M. Oxley, Esq., M. L. A.

Debate ensued.

And the House continuing to sit till after midnight,—

SATURDAY, 3 SEPTEMBER, 1859.

Debate continued.

Question put and passed.

9. Postponement :—Mr. Morris postponed the Motion standing in the name of Mr. Martin on the Notice Paper for to-day, until Tuesday next.
- The House adjourned at a Quarter before One o'clock, a.m., until Tuesday next, at Three o'clock, p.m.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, SEPTEMBER 6.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MURRAY to move,—
  - (1.) That a Select Committee be appointed to inquire into the present state of the University of Sydney.
  - (2.) That such Committee consist of Mr. Plunkett, Mr. Macleay, Mr. Piddington, Mr. Windoyer, Mr. Parkes, Mr. Broughton, Mr. Flood, Mr. Wilson, Mr. Black, Mr. Cape, and the Mover.
2. MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House a Copy of the Regulations (published in the Second Supplement of the *Government Gazette*, on Friday, 26th ultimo) for facilitating Immigration from the Continent of Europe of relations and friends of persons naturalized in New South Wales.
3. MR. FORSTER to move for leave to introduce a Bill to alter and amend the Act of Council, 16 Vict., No. 33, intituled "The Police Regulation Act."
4. MR. HODGSON to move, That the Petition of Messrs. J. and A. Brown, coal proprietors, at Newcastle, presented by him on the 1st instant, be printed.
5. MR. HODGSON to move, That the Petition of Mr. David Morris, presented by him on the 1st instant, be printed.
6. MR. PLUNKETT to move, That the Petition of Landed Proprietors of Wynyard Square, presented by him on the 2nd instant, be printed.
7. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid upon the Table of this House, a Copy of the existing Regulations as to the Educational Requirements necessary for employment in the Civil Service of the Government of this Colony.
8. MR. CAPE to move, That there be laid upon the Table of this House, a Return of the various sums of money, forming portions of the Road Grant for 1859, which remained unexpended on the 30th June, 1859, specifying the name of each road according to "the classification as ordered by this Assembly to be printed, 21st December, 1858."

9. MR. CAPE to move, That there be laid upon the Table of this House, a Return of the several Savings Banks in New South Wales, for the years 1856, 1857, 1858, specifying,—
- (1.) The name or locality of each Savings Bank.
  - (2.) The number of Depositors, male and female.
  - (3.) The amount of Deposits in each, respectively.
  - (4.) The cost of Management of each, respectively.
10. MR. MARTIN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth,—
- (1.) Copies of two Informations filed at the Central Police Office, Sydney, by Timothie Cheval against John Pochilman, under the 17 Vic., No. 31, sec 9, with respect to which the Bench, on the 20th April, 1859, declined to interfere, together with the reasons given by them for their so declining.
  - (2.) Copies of certain letters, dated respectively the 9th February, 1859, and the 9th April, 1859, written by the Colonial Treasurer to the Sydney Bench, in reference to prosecutions under the before-mentioned section.
  - (3.) A Copy of an Information filed at the Central Police Office, Sydney, by James Singleton against Ralph Tolano, on the 26th March, 1859, under the before-mentioned section 9, which information was dismissed, together with the reasons given by the Bench for such dismissal.

*Questions :—*

1. MR. WALSH to ask THE HONORABLE THE COLONIAL SECRETARY,—Is that portion of Paragraph No. 3 in the Governor General's Speech, which says, "Under the operation of the District Courts Act of 1858 justice is now being administered both in the Civil and Criminal Jurisdictions throughout the various Districts of the Interior," to be construed literally, and, if so, where are such Courts held for the Districts of Wide Bay, and Burnett, and Leichhardt?
2. MR. CAPE to ask THE MINISTER FOR LANDS AND PUBLIC WORKS,—The date of the latest Survey of the Inlets of Broken Bay, viz. :—the entrance of the River Hawkesbury; the entrance of Brisbane Water and Pitt Water; also the authority for such Surveys, whether Imperial or Colonial?
3. MR. FORSTER to ask THE HONORABLE THE COLONIAL SECRETARY,—What are the intentions of the Government with reference to an application lately made for the location of Police at Mielago, upon the high Road from Queanbeyan to Cooma?
4. MR. FORSTER to ask THE HONORABLE THE COLONIAL SECRETARY,—
  - (1.) Have any steps been taken, and if any, what, to carry into effect the recommendations contained in the Resolutions of the Legislative Assembly, of December 17, 1858, having reference to the separation of the duties of Crown Law Officers from those of Cabinet Ministers?
  - (2.) If not, why not?
5. MR. ASHER to ask THE HONORABLE THE MINISTER FOR LANDS AND WORKS,—Whether it is the intention of the Government to erect a Bridge over the River Murray at Albury, a sum of money having been voted for that purpose; and, if so, when, and of what description?
6. MR. WINDEYER to ask THE ATTORNEY GENERAL,—
  - (1.) When, and under what circumstances, Mr. Chambers, lately appointed Crown Prosecutor, resigned the appointments which he formerly held as Clerk of the Bench and Clerk of the Peace at East Maitland?
  - (2.) Did any correspondence take place between Mr. Chambers and the Government, and the Bench at East Maitland, on the subject of his resignation?
7. MR. WALSH to ask THE HONORABLE THE COLONIAL SECRETARY,—Have the Government authorised and ordered the expenditure of any money towards furnishing a place of residence for, and in anticipation of the arrival of the Governor of Queensland; and, if so, the amount?
8. MR. LODER to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether any Tender has been accepted for the erection of a Bridge over the River Peel, at Tamworth; and, if not, why not?
9. MR. LODER to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether the Government contemplate making any additions to the Court House and Lock-up to be erected at Tamworth, to meet the requirements of the District Courts held there?
10. MR. MORRIS to ask THE COLONIAL SECRETARY,—
  - (1.) Whether the Government, recognising the privileges and requirements of the Assembly, as Guardians of the Public Purse, have it in contemplation to secure to Parliament, the presentation, annually, of Accounts which shall faithfully and reliably show how far the directions of Parliament have been complied with, in the application of all grants for the Public Service; and shall bring, specifically, under notice, all departures from Parliamentary appropriation?
  - (2.) Whether, to effect this, they are prepared to introduce, at an early period of the present Session, a Bill so defining the constitution, tenure, and duties of the Office of Auditor General; as to render the holder responsible to Parliament alone, and thoroughly independent of the Executive?

WEDNESDAY, SEPTEMBER 7.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. MR. ROBERTSON to move for leave to bring in a Bill to enable the Commissioner of Railways to construct a Tramway from the Railway Terminus at Redfern, to the Semi-Circular Quay in Sydney Cove.
3. MR. BAYLEY to move for leave to bring in a Bill to amend the practice relating to New Trial Motions.

THURSDAY, SEPTEMBER 8.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to repeal the Sydney Necropolis Act, 11 Victoria, No. 11.

FRIDAY, SEPTEMBER 9.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HART to move for leave to bring in a Bill to define the time within which Members of Parliament shall be ineligible to accept Office under the Crown.
2. MR. WINDEYER to move,—
  - (1.) That a Select Committee be appointed to inquire into the working of the Sydney Grammar School.
  - (2.) That such Committee consist of the following Members:—Mr. Plunkett, Mr. Murray, Mr. Cape, Mr. Parkes, Mr. Lyons, Mr. Scott, Dr. Lang, Mr. Hay, Mr. Arnold, and Mr. Windeyer.

Questions :—

1. MR. DARK to ask THE HONORABLE THE ATTORNEY GENERAL,—When it is the intention of the Government to proclaim Dungog and Stroud places where District Courts shall be held; and, when such Courts will be brought into operation?
2. MR. DARK to ask THE HONORABLE THE COLONIAL SECRETARY,—If, during the present Session, it is the intention of Government to take any steps having reference to the classification and full employment of all male convicts in Her Majesty's Gaols in this Colony?

DANIEL COOPER,  
*Speaker.*

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No. 5.

# VOTES AND PROCEEDINGS

## OF THE

# LEGISLATIVE ASSEMBLY.

TUESDAY, 6 SEPTEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Proposed Adjournment:—Mr. Cowper having addressed the House in explanation of the course taken by the Administration in consequence of the Vote come to by the House on Friday last,—  
Moved, That this House do now adjourn until Thursday next.  
Debate ensued.  
Motion by leave withdrawn.
2. Motion withdrawn:—Mr. Flood withdrew the motion standing in his name second on the Notice Paper for to-day.
3. Postponement:—Mr. Murray postponed the motion standing in his name first on the Notice Paper for to-day, until this day week.
4. Proposed Adjournment:—Mr. Cowper then again moved, That this House do "now" adjourn until Thursday next.  
Debate ensued.  
Mr. Hay moved, That the Question be amended, by the omission of the word "now," with a view to the insertion in its place, of the words "at its rising."  
Debate continued.  
Question put,—That the word proposed to be omitted stand part of the Question.  
The House divided.

Ayes, 44.

Mr. Cowper,	Mr. Lord,
Mr. Robertson,	Mr. Mort,
Mr. Bayley,	Mr. Lyons,
Mr. Weekes,	Mr. Rotton,
• Mr. Byrnes,	Mr. Irving,
Mr. Hargrave,	Mr. Hancock,
Mr. Asher,	Mr. McArthur,
Mr. Laycock,	Mr. Scott,
Mr. Wilson,	Mr. Garrett,
Mr. Sayers,	Mr. Flott,
Mr. Wisdom,	Mr. Parnell,
Mr. Gray,	Mr. G. Lang,
Mr. Hamilton,	Rev. Dr. Lang,
Mr. Atkinson,	Mr. Cribb,
Mr. Douglass,	Mr. Close,
Mr. Morris,	• Mr. Byrnes,
Mr. Droughton,	Mr. Campbell,
Mr. Egan,	Mr. Arnold,
Mr. Russell,	Mr. Jenkins,
Mr. Cooper,	Mr. Hodgson,
Mr. Walsh,	Mr. Jones,
Mr. Jamison,	Mr. Dalley,

} Tellers.

Noes, 22.

Mr. Clements,	Mr. Macphillamy,
Mr. Black,	Mr. Hieronimus,
Mr. Hay,	Mr. Windeyer,
Mr. Samuel,	Mr. Parkes,
Mr. Watt,	Mr. Roberts,
Mr. Piddington,	Mr. Nott,
Mr. Hart,	Mr. Elliott,
Mr. Wild,	Mr. Plunkett,
Mr. Oummings,	Mr. Loder,
Mr. Cape,	Mr. Flood,
Mr. Forster,	Mr. Macleay,

} Tellers.

Whereupon Original Question put and passed.

The House accordingly adjourned at twenty minutes before Five o'clock, until Thursday next, at Three o'clock.

• So in Teller's List.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, SEPTEMBER 8.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. COWPER to move, That the Vote following,—  
" (1.) That, in the opinion of this House all Customs Duties on Tea and Sugar, which articles are common necessities of life to the people of New South Wales, ought to be forthwith repealed.  
" (2.) That an Address embodying the foregoing Resolution be presented to the Governor General, praying that His Excellency will be pleased to cause the Estimates of Revenue to be prepared with a view to the immediate repeal of all such duties,"—  
come to by this House, on Friday, the 2nd instant, be now rescinded.

2.

2. MR. ROBERTSON to move for leave to bring in a Bill to repeal the Sydney Necropolis Act, 11 Victoria, No 11.
3. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
4. MR. ROBERTSON to move for leave to bring in a Bill to enable the Commissioner of Railways to construct a Tramway from the Railway Terminus at Redfern, to the Semi-Circular Quay in Sydney Cove.
5. MR. BAYLEY to move for leave to bring in a Bill to amend the practice relating to New Trial Motions.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MORT to move, That there be laid upon the Table of this House,—
  - (1.) A Return of the sums of money expended on the High Roads from Ipswich to Drayton and Warwick, during the last five years; and how expended.
  - (2.) A Return of the population of West Moreton, including the Town of Ipswich, as appears by the last Census and from the Records of the Registrar General.
  - (3.) A Return of the sums of money paid into the Treasury for Land sold, during the last five years, in the District of West Moreton, including the Town of Ipswich.
  - (4.) A Return of the Sums of Money expended on the road from Brisbane to Ipswich during the last five years, and how expended.
2. MR. DOUGLASS to move, That there be laid upon the Table of this House,—
  - (1.) A Return of the Money expended on Roads and Bridges in the District of Darling Downs, during the last five years.
  - (2.) A Return of the amount paid into the Colonial Treasury, for Land sold during the last five years, in the District of Darling Downs.
3. MR. FORSTER to move for leave to introduce a Bill to alter and amend the Act of Council, 16 Vict., No. 33, intituled "The Police Regulation Act."
4. MR. HODGSON to move, That the Petition of Messrs. J. and A. Brown, coal proprietors, at Newcastle, presented by him on the 1st instant, be printed.
5. MR. HODGSON to move, That the Petition of Mr. David Morris, presented by him on the 1st instant, be printed.
6. MR. PLUNKETT to move, That the Petition of Landed Proprietors of Wynyard Square, presented by him on the 2nd instant, be printed.
7. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid upon the Table of this House, a Copy of the existing Regulations as to the Educational Requirements necessary for employment in the Civil Service of the Government of this Colony.
8. MR. CAPE to move, That there be laid upon the Table of this House, a Return of the various sums of money, forming portions of the Road Grant for 1859, which remained unexpended on the 30th June, 1859, specifying the name of each road according to "the classification as ordered by this Assembly to be printed, 21st December, 1858"
9. MR. CAPE to move, That there be laid upon the Table of this House, a Return of the several Savings Banks in New South Wales, for the years 1856, 1857, 1858, specifying,—
  - (1.) The name or locality of each Savings Bank.
  - (2.) The number of Depositors, male and female.
  - (3.) The amount of Deposits in each, respectively.
  - (4.) The cost of Management of each, respectively.
10. MR. MARTIN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth,—
  - (1.) Copies of two Informations filed at the Central Police Office, Sydney, by Timothie Cheval against John Poehlman, under the 17 Vic., No. 31, sec 9, with respect to which the Bench, on the 20th April, 1859, declined to interfere, together with the reasons given by them for their so declining.
  - (2.) Copies of certain letters, dated respectively the 9th February, 1859, and the 9th April, 1859, written by the Colonial Treasurer to the Sydney Bench, in reference to prosecutions under the before-mentioned section.
  - (3.) A Copy of an Information filed at the Central Police Office, Sydney, by James Singleton against Ralph Tolano, on the 26th March, 1859, under the before-mentioned section 9, which information was dismissed, together with the reasons given by the Bench for such dismissal.

Questions :—

1. MR. WALSH to ask THE HONORABLE THE COLONIAL SECRETARY,—Is that portion of Paragraph No. 3 in the Governor General's Speech, which says, "Under the operation of the District Courts Act of 1858 justice is now being administered both in the Civil and Criminal Jurisdictions throughout the various Districts of the Interior," to be construed literally, and, if so, where are such Courts held for the Districts of Wide Bay, and Burnett, and Leichhardt?
2. MR. CAPE to ask THE MINISTER FOR LANDS AND PUBLIC WORKS,—The date of the latest Survey of the Inlets of Broken Bay, viz. :—the entrance of the River Hawkesbury; the entrance of Brisbane Water and Pitt Water; also the authority for such Surveys, whether Imperial or Colonial?
3. MR. FORSTER to ask THE HONORABLE THE COLONIAL SECRETARY,—What are the intentions of the Government with reference to an application lately made for the location of Police at Mielago, upon the high Road from Queanbeyan to Cooma?



4. **MR. FORSTER to ask THE HONORABLE THE COLONIAL SECRETARY,—**  
 (1.) Have any steps been taken, and if any, what, to carry into effect the recommendations contained in the Resolutions of the Legislative Assembly, of December 17, 1858, having reference to the separation of the duties of Crown Law Officers from those of Cabinet Ministers?  
 (2.) If not, why not?
5. **MR. ASHER to ask THE HONORABLE THE MINISTER FOR LANDS AND WORKS,—**  
 Whether it is the intention of the Government to erect a Bridge over the River Murray at Albury, a sum of money having been voted for that purpose; and, if so, when, and of what description?
6. **MR. WINDEYER to ask THE ATTORNEY GENERAL,—**  
 (1.) When, and under what circumstances, Mr. Chambers, lately appointed Crown Prosecutor, resigned the appointments which he formerly held as Clerk of the Bench and Clerk of the Peace at East Maitland?  
 (2.) Did any correspondence take place between Mr. Chambers and the Government, and the Bench at East Maitland, on the subject of his resignation?
7. **MR. WALSH to ask THE HONORABLE THE COLONIAL SECRETARY,—**Have the Government authorised and ordered the expenditure of any money towards furnishing a place of residence for, and in anticipation of the arrival of the Governor of Queensland; and, if so, the amount?
8. **MR. LODER to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—**Whether any Tender has been accepted for the erection of a Bridge over the River Peel, at Tamworth; and, if not, why not?
9. **MR. LODER to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—**Whether the Government contemplate making any additions to the Court House and Lock-up to be erected at Tamworth, to meet the requirements of the District Courts held there?
10. **MR. MORRIS to ask THE COLONIAL SECRETARY,—**  
 (1.) Whether the Government, recognising the privileges and requirements of the Assembly, as Guardians of the Public Purse, have it in contemplation to secure to Parliament, the presentation, annually, of Accounts which shall faithfully and reliably show how far the directions of Parliament have been complied with, in the application of all grants for the Public Service; and shall bring, specifically, under notice, all departures from Parliamentary appropriation?  
 (2.) Whether, to effect this, they are prepared to introduce, at an early period of the present Session, a Bill so defining the constitution, tenure, and duties of the Office of Auditor General, as to render the holder responsible to Parliament alone, and thoroughly independent of the Executive?

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FRIDAY, SEPTEMBER 9.

OTHER BUSINESS—NOTICES OF MOTION:—

1. **MR. HART to move for leave to bring in a Bill to define the time within which Members of Parliament shall be ineligible to accept Office under the Crown.**
2. **MR. WINDEYER to move,—**  
 (1.) That a Select Committee be appointed to inquire into the working of the Sydney Grammar School.  
 (2.) That such Committee consist of the following Members:—Mr. Plunkett, Mr. Murray, Mr. Cape, Mr. Parkes, Mr. Lyons, Mr. Scott, Dr. Lang, Mr. Hay, Mr. Arnold, and Mr. Windeyer.

Questions:—

1. **MR. DARK to ask THE HONORABLE THE ATTORNEY GENERAL,—**When it is the intention of the Government to proclaim Dungog and Stroud places where District Courts shall be held; and, when such Courts will be brought into operation?
2. **MR. DARK to ask THE HONORABLE THE COLONIAL SECRETARY,—**If, during the present Session, it is the intention of Government to take any steps having reference to the classification and full employment of all male convicts in Her Majesty's Gaols in this Colony?

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TUESDAY, SEPTEMBER 13.

OTHER BUSINESS—NOTICE OF MOTION:—

1. **MR. MURRAY to move,—**  
 (1.) That a Select Committee be appointed to inquire into the present state of the University of Sydney.  
 (2.) That such Committee consist of Mr. Plunkett, Mr. Macleay, Mr. Piddington, Mr. Windeyer, Mr. Parkes, Mr. Broughton, Mr. Flood, Mr. Wilson, Mr. Black, Mr. Cape, and the Mover.

DANIEL COOPER,  
Speaker.

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No. 6.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

THURSDAY, 8 SEPTEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
2. Question of Order:—Mr. Forster having put a Question to Mr. Cowper, as Colonial Secretary,—  
And a Debate arising as to the actual position of the Administration in its relation to this House and the Country in consequence of its recent resignation,—  
The Speaker ruled that the resumption of an Office which has been resigned, but to which no Successor has been appointed, does not vacate a seat,—  
And,—after some recitals of precedents in the Practice of the Imperial Parliament in support of the Speaker's ruling,—  
The matter dropped.
3. Newcastle Wallsend Coal Company:—Mr. Jones presented a Petition from the Shareholders of the Newcastle Wallsend Coal Company, praying leave to introduce a Bill to Incorporate the said Company,—  
And Mr. Jones having produced the *Government Gazette*, and the *Sydney Morning Herald*, and *Empire* newspapers, containing Notice for four consecutive weeks, in the months of July and August last, of the intention to apply for such Bill,—  
Petition received.
4. Newcastle Wallsend Coal Company:—Mr. Jones presented a Petition from the Shareholders of the Newcastle Wallsend Coal Company, praying leave to introduce a Bill to enable the said Company to construct a Railway, from land, near Newcastle, belonging to them, to, and to connect the same with, the Great Northern Railway,—  
And Mr. Jones having produced the *Government Gazette*, and the *Sydney Morning Herald*, *Empire*, *Maitland Mercury*, *Northern Times*, and *Newcastle Telegraph* newspapers, containing Notice for four consecutive weeks, in the months of July and August last, of the intention to apply for such Bill,—  
Petition received.
5. Papers:—Mr. Cowper laid upon the Table certain Regulations for facilitating Immigration from the Continent of Europe, of Relations and Friends of persons Naturalized in New South Wales.  
Ordered to be printed.
6. Customs Duties on Tea and Sugar:—Mr. Cowper moved, pursuant to notice, That the Vote following,—  
“(1.) That, in the opinion of this House, all Customs Duties on Tea and Sugar, which articles are common necessities of life to the people of New South Wales, ought to be forthwith repealed.  
“(2.) That an Address embodying the foregoing Resolution be presented to the Governor General, praying that His Excellency will be pleased to cause the Estimates of Revenue to be prepared with a view to the immediate repeal of all such duties,”—come to by this House, on Friday, the 2nd instant, be now rescinded.  
Mr. Martin moved the Previous Question.  
Debate ensued.  
Mr. Flood moved, That this Debate be adjourned until to-morrow.  
Debate continued.  
Question put on the motion for adjournment of the Debate until to-morrow.  
The House divided.

Ayes, 25.

Mr. Murray,	Mr. Hodgson,	
Mr. Walsh,	Mr. Cummings,	
Mr. Hamilton,	Mr. Macleay,	
Mr. Jenkins,	Mr. Darvall,	
Mr. Asher,	Mr. Piddington,	
Mr. Windeyer,	Mr. Hieronimus,	
Mr. Parkes,	Mr. Ryan,	
Mr. Hay,	Mr. Forster,	
Mr. Wild,	Mr. Hurley,	
Mr. Egan,	Mr. Flood,	
Mr. Plunkett,	Mr. Mott,	
Mr. Roberts,	Mr. Nott,	
Mr. Elliott,		

} Tellers.

Noes, 34.

Mr. Cowper,	Mr. McArthur,	
Mr. Bayley,	Mr. Gray,	
Mr. Weekes,	Mr. Cooper,	
Mr. Hargrave,	Mr. Douglass,	
Mr. Robertson,	Mr. Atkinson,	
Mr. Scott,	Mr. Sayers,	
Mr. Black,	Mr. Flett,	
Mr. Byrnes,	Mr. Dalley,	
Mr. Close,	Mr. Lord,	
Mr. Pennell,	Mr. Cribb,	
Mr. Rotton,	Mr. Onkes,	
Mr. Garrett,	Mr. Campbell,	
Mr. Russell,	Rev. Dr. Lang,	
Mr. Richardson,	Mr. Arnold,	
Mr. Handcock,	Mr. Wisdom,	
Mr. Jones,	Mr. Irving,	
Mr. Jamison,	Mr. Morris,	

} Tellers.

Mr.

Mr. Macleay moved, that this House do now adjourn.  
Debate continued.

And the House continuing to sit till after midnight,—

FRIDAY, 9 SEPTEMBER, 1859.

Debate continued.

Question,—That this House do now adjourn,—put and negatived.

Motion made by Mr. Windeyer, and Question put,—That this Debate be adjourned until a later hour to-day.

The House divided.

Ayes, 25.

Mr. Murray,	Mr. Flood,	
Mr. Parkes,	Mr. Roberts,	
Mr. Walsh,	Mr. Macleay,	
Mr. Hamilton,	Mr. Plunkett,	
Mr. Asher,	Mr. Darvall,	
Mr. Jenkins,	Mr. Hay,	
Mr. Windeyer,	Mr. Hodgson,	} Tellers.
Mr. Nott,	Mr. Piddington.	
Mr. Wild,		
Mr. Martin,		
Mr. Egan,		
Mr. Elliott,		
Mr. Hieronimus,		
Mr. Forster,		
Mr. Hurley,		
Mr. Cummings,		
Mr. Ryan,		

Noes, 34.

Mr. Cowper,	Mr. Lord,	
Mr. Robertson,	Mr. Russell,	
Mr. Bayley,	Mr. G. Lang,	
Mr. Weekes,	Mr. Douglass,	
Mr. Hargrave,	Mr. McArthur,	
Mr. Close,	Mr. Sayers,	
Mr. Byrnes,	Mr. Dalley,	
Mr. Black,	Mr. Oakes,	
Mr. Garrett,	Mr. Cribb,	
Mr. Flett,	Mr. Campbell,	
Mr. Rotton,	Rev. Dr. Lang,	
Mr. Handcock,	Mr. Cooper,	
Mr. Atkinson,	Mr. Wisdom,	
Mr. Pernell,	Mr. Jamison,	
Mr. Richardson,	Mr. Arnold,	
Mr. Jones,	Mr. Scott,	} Tellers.
Mr. Gray,	Mr. Morris.	

Mr. Walsh moved, That this House do now adjourn.

Debate continued.

Question, on motion for adjournment of the House, put and negatived,—

Whereupon motion made by Mr. Morris, and Question,—That this Debate be adjourned until Three o'clock this day, and have precedence over all Other Business on the Paper,—put and passed.

The House adjourned at half-past Twelve o'clock a.m., until Three o'clock p.m., to-day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, SEPTEMBER 9.

### GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Cowper's motion, "That the Vote following,—  
'(1.) That, in the opinion of this House all Customs Duties on Tea and Sugar, which articles are common necessities of life to the people of New South Wales, ought to be forthwith repealed.  
'(2.) That an Address embodying the foregoing Resolution be presented to the Governor General, praying that His Excellency will be pleased to cause the Estimates of Revenue to be prepared with a view to the immediate repeal of all such duties,'—  
"come to by this House, on Friday, the 2nd instant, be now rescinded."

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HART to move for leave to bring in a Bill to define the time within which Members of Parliament shall be ineligible to accept Office under the Crown.
2. MR. WINDEYER to move,—  
(1.) That a Select Committee be appointed to inquire into the working of the Sydney Grammar School.  
(2.) That such Committee consist of the following Members:—Mr. Plunkett, Mr. Murray, Mr. Cape, Mr. Parkes, Mr. Lyons, Mr. Scott, Dr. Lang, Mr. Hay, Mr. Arnold, and Mr. Windeyer.
3. MR. MORT to move, That there be laid upon the Table of this House,—  
(1.) A Return of the sums of money expended on the High Roads from Ipswich to Drayton and Warwick, during the last five years; and how expended.  
(2.) A Return of the population of West Moreton, including the Town of Ipswich, as appears by the last Census and from the Records of the Registrar General.  
(3.) A Return of the sums of money paid into the Treasury for Land sold, during the last five years, in the District of West Moreton, including the Town of Ipswich.  
(4.) A Return of the Sums of Money expended on the road from Brisbane to Ipswich during the last five years, and how expended.
4. MR. DOUGLASS to move, That there be laid upon the Table of this House,—  
(1.) A Return of the Money expended on Roads and Bridges in the District of Darling Downs, during the last five years.  
(2.) A Return of the amount paid into the Colonial Treasury, for Land sold during the last five years, in the District of Darling Downs.

6. MR. FORSTER to move for leave to introduce a Bill to alter and amend the Act of Council, 16 Vict., No. 33, intituled "The Police Regulation Act."
6. MR. HODGSON to move, That the Petition of Messrs. J. and A. Brown, coal proprietors, at Newcastle, presented by him on the 1st instant, be printed.
7. MR. HODGSON to move, That the Petition of Mr. David Morris, presented by him on the 1st instant, be printed.
8. MR. PLUNKETT to move, That the Petition of Landed Proprietors of Wynyard Square, presented by him on the 2nd instant, be printed.
9. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid upon the Table of this House, a Copy of the existing Regulations as to the Educational Requirements necessary for employment in the Civil Service of the Government of this Colony.
10. MR. CAPE to move, That there be laid upon the Table of this House, a Return of the various sums of money, forming portions of the Road Grant for 1859, which remained unexpended on the 30th June, 1859, specifying the name of each road according to "the classification as ordered by this Assembly to be printed, 21st December, 1858."
11. MR. CAPE to move, That there be laid upon the Table of this House, a Return of the several Savings' Banks in New South Wales, for the years 1856, 1857, 1858, specifying,—
  - (1.) The name or locality of each Savings' Bank.
  - (2.) The number of Depositors, male and female.
  - (3.) The amount of Deposits in each, respectively.
  - (4.) The cost of Management of each, respectively.
12. MR. MARTIN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth,—
  - (1.) Copies of two Informations filed at the Central Police Office, Sydney, by Timothie Cheval against John Pochlman, under the 17 Vic., No. 31, sec. 9, with respect to which the Bench, on the 20th April, 1859, declined to interfere, together with the reasons given by them for their so declining.
  - (2.) Copies of certain letters, dated respectively the 9th February, 1859, and the 9th April, 1859, written by the Colonial Treasurer to the Sydney Bench, in reference to prosecutions under the before-mentioned section.
  - (3.) A Copy of an Information filed at the Central Police Office, Sydney, by James Singleton against Ralph Tolano, on the 20th March, 1859, under the before-mentioned section 9, which information was dismissed, together with the reasons given by the Bench for such dismissal.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. ROBERTSON to move for leave to bring in a Bill to repeal the Sydney Necropolis Act, 11 Victoria, No 11.
2. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
3. MR. ROBERTSON to move for leave to bring in a Bill to enable the Commissioner of Railways to construct a Tramway from the Railway Terminus at Redfern, to the Semi-Circular Quay in Sydney Cove.
4. MR. BAYLEY to move for leave to bring in a Bill to amend the practice relating to New Trial Motions.

Questions:—

1. MR. DARK to ask THE HONORABLE THE ATTORNEY GENERAL,—When it is the intention of the Government to proclaim Dungog and Stroud places where District Courts shall be held; and, when such Courts will be brought into operation?
2. MR. DARK to ask THE HONORABLE THE COLONIAL SECRETARY,—If, during the present Session, it is the intention of Government to take any steps having reference to the classification and full employment of all male convicts in Her Majesty's Gaols in this Colony?
3. MR. HAY to ask THE ATTORNEY GENERAL,—Whether any adequate compensation or any compensation whatever, has been offered to the late Criminal Crown Solicitor on his dismissal from office, after a service of about twenty years?

TUESDAY, SEPTEMBER 13.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MURRAY to move,—
  - (1.) That a Select Committee be appointed to inquire into the present state of the University of Sydney.
  - (2.) That such Committee consist of Mr. Plunkett, Mr. Macleay, Mr. Piddington, Mr. Windeyer, Mr. Parkes, Mr. Broughton, Mr. Flood, Mr. Wilson, Mr. Black, Mr. Cape, and the Mover.
2. MR. JONES to move for leave to introduce a Bill "to Incorporate the 'Newcastle 'Wallsend Coal Company.'"
3. MR. JONES to move for leave to introduce a Bill "to enable the 'Newcastle Wallsend 'Coal Company' to construct a Railway from land near Newcastle belonging to them, "to, and to connect the same with, the Great Northern Railway."

4. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid upon the Table of this House, copies of all correspondence between the Government and Mr. Chambers, and the Bench at East Maitland, relative to the irregularities in that gentleman's accounts as Clerk of the Peace, and the Minutes of the Executive Council relative to that gentleman's resignation.

**Questions :—**

1. MR. JENKINS to ask THE HONORABLE THE MINISTER FOR LANDS AND WORKS,—  
 (1.) If the Government have instructed the Surveyor General to lay out Townships and Farms at either or both of the two following places, viz.—  
 1. Breeza, in the District of Liverpool Plains;  
 2. At a Crossing-place near to Veness' Inn, Namoi River, in the same District; also  
 3. Farms adjacent to the Bingera Township?  
 (2.) If not, will the Government order the necessary surveys to be made at those places, or else state any objection which may exist to their giving such orders?
2. MR. JENKINS to ask THE HONORABLE THE MINISTER FOR LANDS AND WORKS,—  
 If the Government are at length prepared with Regulations to enable persons who may be so desirous, to work Mineral Lands other than auriferous?
3. MR. JENKINS to ask THE MINISTER FOR LANDS AND WORKS,—  
 (1.) If the general course of the Main Line of the Great Northern Road, extending between Doughboy Hollow and Armidale has been determined on?  
 (2.) When it is probable that the determined route, or any portion of it, will be proclaimed?  
 (3.) If more than one party of surveyors are, or have been, employed in defining the said route?  
 (4.) If any portion of the sums voted by the last Parliament for the construction and the maintenance of the three main roads has been expended on the above portion of the Great Northern Road, and if any, to what amount?
4. MR. NOTT to ask THE CHIEF SECRETARY,—Whether it is the intention of the Government to entertain an application lately made to place additional gentlemen living in the Police District of Wellingrove in the Commission of the Peace, seeing that on account of several Magistrates having lately left the District, the business of the Court at Glen Innes has been well nigh brought to a stand-still?
5. MR. NOTT to ask THE CHIEF SECRETARY,—  
 (1.) Whether any communication has been received from the Bench of Magistrates at Glen Innes, or from any other parties, recommending that the Township of Inverell, in the western part of New England, should be proclaimed a place where Courts of Petty Sessions are to be holden?  
 (2.) If so, is it the intention of the Government to provide for carrying that recommendation into effect?
6. MR. DARVALL to ask THE SECRETARY FOR LANDS AND WORKS,—Whether the Government has taken, or is about to take any, and what steps towards the construction of a Railway to Windsor?

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THURSDAY, SEPTEMBER 15.

**OTHER BUSINESS—NOTICE OF MOTION :—**

1. MR. CLARK IRVING to move, That an Address be presented to the Governor General, praying,—  
 (1.) That His Excellency will be pleased to direct that a Marine Surveyor shall be appointed to proceed to the Clarence and Richmond Rivers, for the purpose of reporting upon any impediments to the navigation of those waters by vessels of larger tonnage than are usually engaged for bar-harbours on our coasts, and the probable cost of their removal.  
 (2.) That, according to the Report of Commander Yule, R.N., on the south side of the entrance to the Clarence River, (which is the deepest) there are ten feet at low water, and within the entrance the depth is from two to four fathoms, where there is good anchorage inside the bar, in a channel near the south shore; that the width of this channel might be considerably widened by the removal of a small rocky ledge which lies along it, and is a serious impediment to its navigation; that even now, vessels drawing as much as fourteen feet, may enter, whilst fifty miles up the Clarence River vessels of large tonnage may be repaired,—means of heaving down, artificers, and stores, being available; that the great increase of population in the Clarence District, and its immense agricultural and pastoral capacities, require that the full means of navigating its noble river should be afforded.  
 (3.) That the Richmond River being entered over a shifting bar, requires that any additional impediments to its safe entry should be removed; and it has been reported to the Government that by the reckless discharge of ballast at its *embouchure*, by masters of coasting vessels, the natural obstacles of shifting sands have been considerably aggravated.  
 (4.) That His Excellency will therefore be pleased to place upon the Estimates of Expenditure a sufficient sum for defraying the cost of such a survey, as may apprise the Government of the best mode of improving the entrances to both rivers.

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TUESDAY,

TUESDAY, SEPTEMBER 20.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. MORRIS to move for leave to bring in a Bill to amend and define the tenure constitution and duties of the office of Auditor General.
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TUESDAY, SEPTEMBER 27.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MURRAY to move for leave to bring in a Bill to abolish the Law of Primogeniture in New South Wales.
2. MR. MURRAY to move for leave to bring in a Bill to abolish Capital Punishment in this Colony.

DANIEL COOPER,  
*Speaker.*

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No. 7.

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

FRIDAY, 9 SEPTEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Paper:—Mr. Cowper laid upon the Table certain Correspondence in reference to the introduction of the relations of Germans naturalized in this Colony.  
Ordered to be printed.
2. Customs Duties on Tea and Sugar:—The adjourned Debate on Mr. Cowper's motion,  
"That the Vote following,—  
" (1.) That, in the opinion of this House, all Customs Duties on Tea and Sugar, which  
" articles are common necessities of life to the people of New South Wales, ought to  
" be forthwith repealed.  
" (2.) That an Address embodying the foregoing Resolution be presented to the  
" Governor General, praying that His Excellency will be pleased to cause the Estimates  
" of Revenue to be prepared with a view to the immediate repeal of all such duties,"—  
" come to by this House, on Friday, the 2nd instant, be now rescinded,"—  
Upon which Mr. Martin had moved the Previous Question,—resumed.
3. Member Sworn:—Arthur Macalister, Esquire, having taken the Oath and subscribed the Roll, took his seat as Member for Ipswich.
4. Customs Duties on Tea and Sugar:—The Debate on Mr. Cowper's motion, "That the  
" Vote following,—  
" (1.) That, in the opinion of this House all Customs Duties on Tea and Sugar,  
" which articles are common necessities of life to the people of New South Wales,  
" ought to be forthwith repealed.  
" (2.) That an Address embodying the foregoing Resolution be presented to the  
" Governor General, praying that His Excellency will be pleased to cause the  
" Estimates of Revenue to be prepared, with a view to the immediate repeal of all  
" such duties,"—" come to by this House, on Friday, the 2nd instant, be now  
" rescinded,"—  
Upon which Mr. Martin had moved the Previous Question,—interrupted by  
administering the Oath to Mr. Macalister,—resumed.  
Previous Question put,—That this Question be now put.  
The House divided.

Ayes, 41.

Mr. Cowper,	Mr. Flood,
Mr. Robertson,	Mr. Gray,
Mr. Bayley,	Mr. Russell,
Mr. Weekes,	Mr. Morris,
Mr. Hargrave,	Mr. Jamison,
Mr. Scott,	Mr. Jones,
Mr. Byrnes,	Mr. Rotton,
Mr. Asher,	Mr. Handcock,
Mr. Irving,	Mr. Flett,
Mr. Douglas,	Mr. Garrett,
Mr. Walsh,	Mr. G. Lang,
Mr. Sayers,	Mr. Black,
Mr. McArthur,	Rev. Dr. Lang,
Mr. Pennell,	Mr. Cribb,
Mr. Atkinson,	Mr. Campbell,
Mr. Wilson,	Mr. Oakes,
Mr. Close,	Mr. Mort,
Mr. Arnold,	Mr. Dalley,
Mr. Jenkins,	Mr. Wisdom,
Mr. Cooper,	Mr. Hodgson,
Mr. Richardson,	

} Tellers.

Noes, 21.

Mr. Murray,	Mr. Egan,
Mr. Hamilton,	Mr. Forster,
Mr. Nott,	Mr. Macleay,
Mr. Wild,	Mr. Hay,
Mr. Martin,	Mr. Roberts,
Mr. Cape,	Mr. Darvall,
Mr. Hieronimus,	Mr. Plunkett,
Mr. Hurley,	Mr. Piddington,
Mr. Ryan,	Mr. Windeyer,
Mr. Cummings,	Mr. Pakes,
Mr. Elliott,	

} Tellers.

Whereupon

Whereupon Original Question put.  
The House divided.

## Ayes, 40.

Mr. Cowper,	Mr. Cooper,
Mr. Robertson,	Mr. Jenkins,
Mr. Bayley,	Mr. Russell,
Mr. Weekes,	Mr. Morris,
Mr. Hargrave,	Mr. Jamison,
Mr. Scott,	Mr. Jones,
Mr. Byrnes,	Mr. Rotton,
Mr. Asher,	Mr. Hancock,
Mr. Irving,	Mr. Flett,
Mr. Hodgson,	Mr. Garrett,
Mr. Walsh,	Mr. G. Lang,
Mr. Sayers,	Mr. Black,
Mr. McArthur,	Rev. Dr. Lang,
Mr. Pemell,	Mr. Cribb,
Mr. Atkinson,	Mr. Campbell,
Mr. Wisdom,	Mr. Oakes,
Mr. Wilson,	Mr. Mort,
Mr. Close,	Mr. Dalley,
Mr. Gray,	Mr. Douglas,
Mr. Richardson,	Mr. Arnold.

} Tellers.

## Noes, 21.

Mr. Windeyer,	Mr. Macleay,
Mr. Parkes,	Mr. Roberts,
Mr. Murray,	Mr. Darvall,
Mr. Hamilton,	Mr. Plunkett,
Mr. Flood,	Mr. Cummings,
Mr. Martin,	Mr. Ryan,
Mr. Cape,	Mr. Hurley,
Mr. Hiddington,	Mr. Hieronimus,
Mr. Elliott,	Mr. Nott,
Mr. Egao,	Mr. Wild.
Mr. Forster,	

} Tellers.

5. Motion Dropped :—Mr. Hart not moving the motion standing in his name first on the Notice Paper of Other Business for to-day, it dropped.
6. Postponement :—Mr. Windeyer postponed the motion standing in his name second on the Notice Paper of Other Business for to-day, until Tuesday next.
7. Moreton Bay Statistics :—
  - (1.) Mr. Mort moved, pursuant to notice, That there be laid upon the Table of this House ;—
    - (1.) A Return of the sums of money expended on the High Roads from Ipswich to Drayton and Warwick, during the last five years ; and how expended.
    - (2.) A Return of the population of West Moreton, including the Town of Ipswich, as appears by the last Census and from the Records of the Registrar General.
    - (3.) A Return of the sums of money paid into the Treasury for Land sold, during the last five years, in the District of West Moreton, including the Town of Ipswich.
    - (4.) A Return of the Sums of Money expended on the road from Brisbane to Ipswich during the last five years, and how expended.
 Question put and passed.
  - (2.) Mr. Douglas moved, pursuant to notice, That there be laid upon the Table of this House ;—
    - (1.) A Return of the Money expended on Roads and Bridges in the District of Darling Downs, during the last five years.
    - (2.) A Return of the amount paid into the Colonial Treasury, for Land sold during the last five years, in the District of Darling Downs.
 Debate ensued.  
Question put and passed.
8. Postponement :—Mr. Forster postponed the motion standing in his name fifth on the Notice Paper of Other Business for to-day, until Friday next.
9. Messrs. James and Alexander Brown :—Mr. Hodgson moved, pursuant to notice,—That the Petition of Messrs. J. and A. Brown, Coal Proprietors, at Newcastle, presented by him on the 1st instant, be printed.  
Question put and passed.  
Ordered to be printed.
10. Mr. David Morris :—Mr. Hodgson moved, pursuant to notice,—That the Petition of Mr. David Morris, presented by him on the 1st instant, be printed.  
Debate ensued.

And the House continuing to sit till after midnight,—

**SATURDAY, 10 SEPTEMBER, 1859.**

Debate continued.

Question put and passed.

Ordered to be printed.

11. Postponement :—Mr. Plunkett postponed the motion standing in his name eighth on the Notice Paper of Other Business for to-day, until Tuesday next.
12. Motions withdrawn :—Mr. Cape withdrew the motions standing in his name ninth and tenth on the Notice Paper of Other Business for to-day.
13. Postponement :—Mr. Cape postponed the motion standing in his name eleventh on the Notice Paper of Other Business for to-day, until Tuesday next.
14. Cheval v. Poehlman :—Mr. Martin moved, pursuant to amended notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth,—
  - (1.) Copies of two Informations filed at the Central Police Office, Sydney, by Timothy Cheval against John Poehlman, under the 17 Vic., No. 31, sec. 9, with respect to which the Bench, on the 20th April, 1859, declined to interfere, together with the reasons given by them for their so declining.
  - (2.) Copies of any letters written by the Colonial Treasurer to the Sydney Bench, in reference to prosecutions under the before-mentioned section.

(3.)

(3.) A Copy of an Information filed at the Central Police Office, Sydney, by James Singleton against Ralph Tolano, on the 26th March, 1859, under the before-mentioned section 9, which information was dismissed, together with the reasons given by the Bench for such dismissal.

Question put and passed.

15. Postponements :—Mr. Robertson postponed the motions standing in his name first, second, and third on the Notice Paper of Government Business for to-day, until Wednesday next.

16. New Trial Motions Practice Amendment Bill :—Mr. Bayley moved, pursuant to notice, for leave to bring in a Bill to amend the practice relating to New Trial Motions.

Debate ensued.

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

The House adjourned at a Quarter after Twelve o'clock, a.m., until Tuesday next, at Three o'clock, p.m.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, SEPTEMBER 13.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MURRAY to move,—
  - (1.) That a Select Committee be appointed to inquire into the present state of the University of Sydney.
  - (2.) That such Committee consist of Mr. Plunkett, Mr. Macleay, Mr. Piddington, Mr. Windeyer, Mr. Parkes, Mr. Broughton, Mr. Flood, Mr. Wilson, Mr. Black, Mr. Cape, and the Mover.
2. MR. JONES to move for leave to introduce a Bill "to Incorporate the 'Newcastle ' ' Wallsend Coal Company.' "
3. MR. JONES to move for leave to introduce a Bill "to enable the 'Newcastle Wallsend ' ' Coal Company' to construct a Railway from land near Newcastle belonging to them, "to, and to connect the same with, the Great Northern Railway."
4. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid upon the Table of this House, copies of all correspondence between the Government and Mr. Chambers, and the Bench at East Maitland, relative to the irregularities in that gentleman's accounts as Clerk of the Peace, and the Minutes of the Executive Council relative to that gentleman's resignation.
5. MR. WINDEYER to move,—
  - (1.) That a Select Committee be appointed to inquire into the working of the Sydney Grammar School.
  - (2.) That such Committee consist of the following Members :—Mr. Plunkett, Mr. Murray, Mr. Cape, Mr. Parkes, Mr. Lyons, Mr. Scott, Dr. Lang, Mr. Hay, Mr. Arnold, and Mr. Windeyer.
6. MR. PLUNKETT to move, That the Petition of Landed Proprietors of Wynyard Square, presented by him on the 2nd instant, be printed.
7. MR. CAPE to move, That there be laid upon the Table of this House, a Return of the several Savings' Banks in New South Wales, for the years 1856, 1857, 1858, specifying,—
  - (1.) The name or locality of each Savings' Bank.
  - (2.) The number of Depositors, male and female.
  - (3.) The amount of Deposits in each, respectively.
  - (4.) The cost of Management of each, respectively.

### Questions :—

1. MR. JENKINS to ask THE HONORABLE THE MINISTER FOR LANDS AND WORKS,—
  - (1.) If the Government have instructed the Surveyor General to lay out Townships and Farms at either or both of the two following places, viz.—
    1. Brecza, in the District of Liverpool Plains ;
    2. At a Crossing-place near to Veness' Inn, Namoi River, in the same District ; also
    3. Farms adjacent to the Bingera Township ?
  - (2.) If not, will the Government order the necessary surveys to be made at those places, or else state any objection which may exist to their giving such orders ?
2. MR. JENKINS to ask THE HONORABLE THE MINISTER FOR LANDS AND WORKS,—
  - If the Government are at length prepared with Regulations to enable persons who may be so desirous, to work Mineral Lands other than auriferous ?
3. MR. JENKINS to ask THE MINISTER FOR LANDS AND WORKS,—
  - (1.) If the general course of the Main Line of the Great Northern Road, extending between Doughboy Hollow and Armidale has been determined on ?
  - (2.) When it is probable that the determined route, or any portion of it, will be proclaimed ?

(3.)

- (3.) If more than one party of surveyors are, or have been, employed in defining the said route?
- (4.) If any portion of the sums voted by the last Parliament for the construction and maintenance of the three main roads has been expended on the above portion of the Great Northern Road, and if any, to what amount?
4. **MR. NOTT to ask THE CHIEF SECRETARY,**—Whether it is the intention of the Government to entertain an application lately made to place additional gentlemen living in the Police District of Wellingrove in the Commission of the Peace, seeing that on account of several Magistrates having lately left the District, the business of the Court at Glen Innes has been well nigh brought to a stand-still?
5. **MR. NOTT to ask THE CHIEF SECRETARY,**—
- (1.) Whether any communication has been received from the Bench of Magistrates at Glen Innes, or from any other parties, recommending that the Township of Inverell, in the western part of New England, should be proclaimed a place where Courts of Petty Sessions are to be holden?
- (2.) If so, is it the intention of the Government to provide for carrying that recommendation into effect?
6. **MR. DARVAIL to ask THE SECRETARY FOR LANDS AND WORKS,**—Whether the Government has taken, or is about to take any, and what steps towards the construction of a Railway to Windsor?
7. **MR. FORSTER to ask THE HONORABLE THE ATTORNEY GENERAL,**—
- (1.) On what grounds did the Crown decline to prosecute in the case of Edward Lloyd Lewis, Officer of the Detective Police of New South Wales, committed by the Bench of Magistrates, Sydney, for Perjury, upon October 7, 1858?
- (2.) On what grounds was the prosecution so long delayed?
8. **MR. CLOSE to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,**—If he can state when the Electric Telegraph to West Maitland, East Maitland, Morpeth, and Newcastle will be completed, and ready for use?
9. **MR. FORSTER to ask THE ATTORNEY GENERAL,**—What are the intentions of the Government with reference to the recommendations contained in the Resolutions of the Legislative Assembly of 17 December, 1858, having reference to the separation of the duties of Crown Law Officers from those of Cabinet Ministers?
10. **MR. LORD to ask THE HONORABLE THE COLONIAL SECRETARY,**—If it is the intention of the Governor to appoint a Police Magistrate at Dubbo?
11. **MR. LYONS to ask THE HONORABLE THE COLONIAL SECRETARY,**—
- (1.) Whether the Government have any intention of appointing a Police Magistrate at the Central Police Court, Sydney?
- (2.) Whether the Government are aware, that, under the present arrangements, the Business of the Court is conducted in a very unsatisfactory manner to all parties concerned therein?

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WEDNESDAY, SEPTEMBER 14.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. **MR. ROBERTSON** to move for leave to bring in a Bill to repeal the Sydney Necropolis Act, 11 Victoria, No 11.
2. **MR. ROBERTSON** to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
3. **MR. ROBERTSON** to move for leave to bring in a Bill to enable the Commissioner of Railways to construct a Trainway from the Railway Terminus at Redfern, to the Semi-Circular Quay in Sydney Cove.

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THURSDAY, SEPTEMBER 15.

OTHER BUSINESS—NOTICE OF MOTION:—

1. **MR. CLARK IRVING** to move, That an Address be presented to the Governor General, praying,—
- (1.) That His Excellency will be pleased to direct that a Marine Surveyor shall be appointed to proceed to the Clarence and Richmond Rivers, for the purpose of reporting upon any impediments to the navigation of those waters by vessels of larger tonnage than are usually engaged for bar-harbours on our coasts, and the probable cost of their removal.
- (2.) That, according to the Report of Commander Yule, R.N., on the south side of the entrance to the Clarence River, (which is the deepest) there are ten feet at low water, and within the entrance the depth is from two to four fathoms, where there is good anchorage inside the bar, in a channel near the south shore; that the width of this channel might be considerably widened by the removal of a small rocky ledge which lies along it, and is a serious impediment to its navigation; that even now, vessels drawing as much as fourteen feet, may enter, whilst fifty miles up the Clarence River vessels of large tonnage may be repaired,—means of heaving down, artificers, and stores, being available; that the great increase of population in the Clarence District, and its immense agricultural and pastoral capacities, require that the full means of navigating its noble river should be afforded.

(3.) That the Richmond River being entered over a shifting bar, requires that any additional impediments to its safe entry should be removed; and it has been reported to the Government that by the reckless discharge of ballast at its *embouchure*, by masters of coasting vessels, the natural obstacles of shifting sands have been considerably aggravated.

(4.) That His Excellency will therefore be pleased to place upon the Estimates of Expenditure a sufficient sum for defraying the cost of such a survey, as may apprise the Government of the best mode of improving the entrances to both rivers.

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FRIDAY, SEPTEMBER 16.

OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. SCOTT to move,—
  - (1.) That a Select Committee be appointed to inquire into and report upon the best means of improving the Alluvial Lands of the Hunter, by a system of drainage, and the legal provisions under which such a system may be carried out; and that all proceedings and papers of the Select Committees of last Parliament connected with this inquiry be referred to the Committee.
  - (2.) That such Committee consist of Mr. Arnold, Mr. Black, Mr. Cape, Mr. Close, Mr. Hodgson, Mr. Jones, Mr. Piddington, Mr. Windeyer, Mr. Wisdom, and Mr. Scott.
2. Mr. FORSTER to move for leave to introduce a Bill to alter and amend the Act of Council, 16 Vict., No. 33, intituled "The Police Regulation Act."

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TUESDAY, SEPTEMBER 20.

OTHER BUSINESS—NOTICE OF MOTION :—

1. Mr. MORRIS to move for leave to bring in a Bill to amend and define the tenure constitution and duties of the office of Auditor General.

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TUESDAY, SEPTEMBER 27.

OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. MURRAY to move for leave to bring in a Bill to abolish the Law of Primogeniture in New South Wales.
2. Mr. MURRAY to move for leave to bring in a Bill to abolish Capital Punishment in this Colony.

DANIEL COOPER,  
*Speaker.*

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No. 8.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

TUESDAY, 13 SEPTEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Papers:—Mr. Cowper laid upon the Table the undermentioned Papers:—
  - (1.) Return to the Address in reference to Assisted Immigration to Moreton Bay, adopted, on motion of Mr. Deniehy, on 3rd February last.
  - (2.) Report from the Senate of the Sydney University for the year 1858, with an account of the Income and Expenditure thereof during the same year.
  - (3.) Report from the Health Officer of Sydney for the year 1858.
  - (4.) Further Report from E. O. Merewether, Esquire, relating to the Steam Postal Service, *via* Panama.
  - (5.) The Statistical Register of New South Wales from 1849 to 1858, compiled from Official Returns in the Registrar General's Office.
Ordered to be printed.
2. Vacant Seat:—The Speaker having reported that he had received a letter, dated this day, from William Henry Suttor, Esquire, resigning his Seat in this House as a Member for East Macquarie,—  
Mr. Cowper moved, That the Seat of William Henry Suttor, Esquire, as a Member for the Electoral District of East Macquarie, hath become, and is now vacant, by reason of the resignation thereof by the said William Henry Suttor, Esquire.  
Question put and passed.
3. Election Petition:—Mr. Cowper, *by Command*, laid upon the Table a Petition from certain Electors of the Electoral District of New England, against the election and return of James Hart, Esquire, as Member for New England.  
Petition, on motion of Mr. Cowper, referred to the Committee of Elections and Qualifications.
4. Election Petition:—Mr. Cowper moved, That the Petition of Charles Kemp, of Sydney, against the election and return of Henry Parkes, Esquire, as one of the Members for East Sydney, laid upon the Table on the 31st ultimo, be referred to the Committee of Elections and Qualifications.  
Question put and passed.
5. First Meeting of Elections and Qualifications Committee:—Pursuant to the requirement of the 20th section of the Electoral Act of 1858, the Speaker appointed the first meeting of the Elections and Qualifications Committee to take place at noon to-morrow, in Committee Room No. 2.
6. New Trial Motions Practice Amendment Bill:—Mr. Bayley having *presented* this Bill, Bill intituled, "*A Bill to amend the Practice relating to New Trial Motions*," read a first time; ordered to be printed, and read a second time on Thursday next.
7. Sydney University:—Mr. Murray moved, pursuant to notice,—
  - (1.) That a Select Committee be appointed to inquire into the present state of the University of Sydney.
  - (2.) That such Committee consist of Mr. Plunkett, Mr. Macleay, Mr. Piddington, Mr. Windeyer, Mr. Parkes, Mr. Broughton, Mr. Flood, Mr. Wilson, Mr. Black, Mr. Cape, and the Mover.
Debate ensued.  
And the Revd. Dr. Lang requiring that the proposed Committee be appointed by Ballot,—  
Question,—That a Select Committee be appointed to inquire into the present state of the University of Sydney,—put and passed;—  
Whereupon the House proceeded to the Ballot, and the Speaker declared the following Members to be, with the Mover, the Committee duly appointed, *viz.*:—Revd. Dr. Lang, Mr. Cape, Mr. Jones, Mr. Black, Mr. Windeyer, Mr. Arnold, Mr. Dalley, Mr. Wilson, and Mr. Plunkett.
8. Members of Committee of Elections and Qualifications sworn:—John Fletcher Hargrave, Richard Jones, John Hubert Plunkett, Alexander Walker Scott, Edward Charles Close, and Alexander McArthur, Esquires, sworn at the Table by the Clerk as Members of the Committee of Elections and Qualifications for the present Session, pursuant to the requirement of the 70th section of the Electoral Act of 1858.

9. Newcastle Wallsend Coal Company's Incorporation Bill :—Mr. Jones moved, pursuant to notice, for leave to introduce a Bill "to Incorporate the 'Newcastle Wallsend 'Coal Company.'"  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
10. Newcastle Wallsend Coal Company's Railway Bill :—Mr. Jones moved, pursuant to notice, for leave to introduce a Bill "to enable the 'Newcastle Wallsend Coal 'Company' to construct a Railway from land near Newcastle belonging to them, "to, and to connect the same with, the Great Northern Railway."  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
11. Mr. Joseph Chambers :—Mr. Windeyer moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid upon the Table of this House, copies of all correspondence between the Government and Mr. Chambers, and the Bench at East Maitland, relative to the irregularities in that gentleman's accounts as Clerk of the Peace, and the Minutes of the Executive Council relative to that gentleman's resignation.  
Question put and passed.
12. Sydney Grammar School :—Mr. Windeyer moved, pursuant to notice,—  
(1.) That a Select Committee be appointed to inquire into the working of the Sydney Grammar School.  
(2.) That such Committee consist of the following Members :—Mr. Plunkett, Mr. Murray, Mr. Cape, Mr. Parkes, Mr. Lyons, Mr. Scott, Revd. Dr. Lang, Mr. Hay, Mr. Arnold, and Mr. Windeyer.  
And the Revd. Dr. Lang requiring that the proposed Committee be appointed by Ballot,—  
Question—That a Select Committee be appointed to inquire into the working of the Sydney Grammar School—put and passed;—  
Whereupon the House proceeded to the Ballot, and the Speaker declared the following Members to be, with the Mover, the Committee duly appointed, viz. :—Revd. Dr. Lang, Mr. Arnold, Mr. Cape, Mr. Hay, Mr. Parkes, Mr. Dalley, Mr. Jones, Mr. Murray, and Mr. Plunkett.
13. Wynyard Square :—Mr. Plunkett moved, pursuant to notice, That the Petition of Landed Proprietors of Wynyard Square, presented by him on the 2nd instant, be printed.  
Debate ensued.  
Question put and passed.  
*Ordered* to be printed.
14. Savings' Bank :—Mr. Cape moved, pursuant to notice, That there be laid upon the Table of this House, a Return of the several Savings' Banks in New South Wales, for the years 1856, 1857, and 1858, specifying,—  
(1.) The name or locality of each Savings' Bank.  
(2.) The number of Depositors, male and female.  
(3.) The amount of Deposits in each, respectively.  
(4.) The cost of Management of each, respectively.  
Question put and passed.  
The House adjourned at half-past Six o'clock, until to-morrow at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, SEPTEMBER 14.

### GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. Mr. ROBERTSON to move for leave to bring in a Bill to repeal the Sydney Necropolis Act, 11 Victoria, No. 11.
2. Mr. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
3. Mr. ROBERTSON to move for leave to bring in a Bill to enable the Commissioner of Railways to construct a Tramway from the Railway Terminus at Redfern, to the Semi-Circular Quay in Sydney Cove.
4. Mr. COWPER to move,—  
(1.) That a Select Committee be appointed, to inquire and report what changes can be made in the respective Departments of the Government, with a view to promoting their efficiency, and at the same time reducing their cost to the public, and that such Committee have power to send for persons and papers.  
(2.) That the Committee consist of ten Members, viz. :—Mr. Arnold, Mr. Flood, Mr. Forster, Mr. Parkes, Mr. Jones, Mr. McArthur, Mr. Byrnes, and the Mover and Seconder.
5. Mr. COWPER to move,—  
(1.) That a Select Committee be appointed, to take into consideration and report upon the subject of Secondary Punishment.  
(2.) That such Committee consist of Mr. Black, Mr. Cape, Mr. Hargrave, Mr. Parkes, Mr. Forster, Mr. Flood, Mr. Elliott, Mr. Samuel, and the Mover and Seconder.

OTHER



## OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. WILD to move,—  
 (1.) That all Papers and Correspondence relating to the dismissal from the Survey Office of Mr. C. F. Gorton, laid upon the Table of this House at the close of last Session, be referred to a Select Committee.  
 (2.) That such Committee consist of Mr. Murray, Mr. Macleay, Mr. Flood, Mr. Douglas, Mr. Morris, Mr. Jenkins, and the Mover.

## Questions :—

1. MR. ELLIOTT to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether a sum of money has been at any time voted by the Legislature for the purpose of establishing a Depot for Immigrants at Maryborough; and, if so, whether it is the intention of the Government to carry out that object, and meet the great demand for labour now existing in the Burnett and Wide Bay Districts?
2. MR. WALSH to ask THE HONORABLE THE MINISTER FOR LANDS AND PUBLIC WORKS,—Have the Government ordered any steps to be taken for preserving the dam at Gladstone; and are they aware that for some time past it has required repairing?
3. MR. BROUGHTON to ask THE HONORABLE THE COLONIAL SECRETARY,—If the Government intend to take any steps for the preparation of the "Electoral Roll," to enable the Citizens of Sydney to "legally elect" their Aldermen at the usual time required by law?

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THURSDAY, SEPTEMBER 15.

## GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move for leave to introduce a Bill to amend the Constitution Act, so far as relates to the provision for Public Worship.
2. MR. COWPER to move for leave to introduce a Bill further to regulate and secure the Pensions of the Judges.
3. MR. COWPER to move, That, with a view to the more effectual administration of the Ministerial Departments, the Department of Secretary for Lands and Public Works be divided, and that a new Department be created to be called the Department of Public Works.
4. MR. BAYLEY to move for leave to bring in a Bill for the better Prevention of Cattle Stealing.

## ORDER OF THE DAY :—

1. New Trial Motions Practice Amendment Bill; second reading.

## OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. CLARK IRVING to move, That an Address be presented to the Governor General, praying,—  
 (1.) That His Excellency will be pleased to direct that a Marine Surveyor shall be appointed to proceed to the Clarence and Richmond Rivers, for the purpose of reporting upon any impediments to the navigation of those waters by vessels of larger tonnage than are usually engaged for bar-harbours on our coasts, and the probable cost of their removal.  
 (2.) That, according to the Report of Commander Yule, R.N., on the south side of the entrance to the Clarence River, (which is the deepest) there are ten feet at low water, and within the entrance the depth is from two to four fathoms, where there is good anchorage inside the bar, in a channel near the south shore; that the width of this channel might be considerably widened by the removal of a small rocky ledge which lies along it, and is a serious impediment to its navigation; that even now, vessels drawing as much as fourteen feet, may enter, whilst fifty miles up the Clarence River vessels of large tonnage may be repaired,—means of heaving down, artificers, and stores, being available; that the great increase of population in the Clarence District, and its immense agricultural and pastoral capacities, require that the full means of navigating its noble river should be afforded.  
 (3.) That the Richmond River being entered over a shifting bar, requires that any additional impediments to its safe entry should be removed; and it has been reported to the Government, that by the reckless discharge of ballast at its *embouchure*, by masters of coasting vessels, the natural obstacles of shifting sands have been considerably aggravated.  
 (4.) That His Excellency will therefore be pleased to place upon the Estimates of Expenditure a sufficient sum for defraying the cost of such a survey, as may apprise the Government of the best mode of improving the entrances to both rivers.

## Questions :—

1. MR. SAMUEL to ask THE HONORABLE THE SECRETARY FOR PUBLIC LANDS AND WORKS,—Whether it is the intention of the Government to submit any proposition to Parliament during the present Session, for the further extension of the three great lines of Railway?
2. MR. ASHER to ask THE HONORABLE THE MINISTER FOR LANDS AND WORKS,—Whether any tenders have been received by him, as called for on the 23rd August last, for the construction of Bridges between Yass and Albury; and, if any such tenders have been received, when it is likely the above work will be commenced?

3. MR. MURRAY *to ask* THE HONORABLE THE ATTORNEY GENERAL,—When the depositions in the case of Walsh v. Oxley were received in his office—when his decision not to prosecute was arrived at—whether any communication was made by him or by his direction to Mr. Oxley on the subject—and if so, when and how that communication was made?

FRIDAY, SEPTEMBER 16.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. SCOTT to move,—
  - (1.) That a Select Committee be appointed to inquire into and report upon the best means of improving the Alluvial Lands of the Hunter, by a system of drainage, and the legal provisions under which such a system may be carried out; and that all proceedings and papers of the Select Committees of last Parliament connected with this inquiry be referred to the Committee.
  - (2.) That such Committee consist of Mr. Arnold, Mr. Black, Mr. Cape, Mr. Close, Mr. Hodgson, Mr. Jones, Mr. Piddington, Mr. Windeyer, Mr. Wisdom, and Mr. Scott.
2. MR. FORSTER to move for leave to introduce a Bill to alter and amend the Act of Council, 16 Vict., No. 33, intituled "The Police Regulation Act."
3. MR. JONES to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid on the Table of this House, Copies of all Petitions presented by James Hibburd, a convict sentenced to ten years hard labour on the roads or other public works, and said to have been prematurely released from Cockatoo Island in June, 1858, praying for remission of sentence; of all applications presented to the Convict Classification Board, or to the Government, on behalf of the said Hibburd; of all correspondence between the Convict Classification Board and the Government, and between the Colonial Secretary or any other Member of the Government, and His Honor the Chief Justice in reference to the case of Hibburd; of all Minutes of Proceedings (if any) of the Executive Council in reference to this case; and of the letter conveying the decision of the Executive Government in reference to the remission of Hibburd's sentence; together with a statement showing how this decision was carried out.
4. MR. WILSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return shewing the names of all persons condemned to death in New South Wales since 1840; the crimes for which they were convicted; the names of those whose sentences were commuted; at whose suggestion they were so,—and what punishment was substituted in each case.
5. MR. WILSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return shewing the names of all the Clergymen in New South Wales receiving State support—the amount received—and the duties performed by each—when they are performed—and where.
6. MR. CUMMINGS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, the following Returns of money voted for public improvements in the Northern District since the inauguration of Responsible Government,—
  - (1.) A Return shewing the amount voted for repairs of roads and bridges, the formation of new roads, and erection of bridges in each locality.
  - (2.) A Return shewing all sums of money voted for the erection and repairs of Court Houses, Locks-up, Gaols, Lighthouses, and all other public buildings, if any.
  - (3.) A Return shewing the amount voted for the erection and repairs of wharves, jetties, breakwaters, and embankments of the waters of the River Hunter.
  - (4.) A Return shewing the amount paid for dredging machines, repairs of same, and all expenses incurred in working them upon the Hunter, or other Northern Rivers.
  - (5.) A Return shewing the amount voted for the erection of post offices, repairs of same, conveyance of mails, number of post offices in said District, and the amount of salary paid to the postmasters, deputy postmasters, or clerks, if any.
  - (6.) A Return shewing the amount voted for railroad purposes in said District.
  - (7.) A Return shewing the amount voted for the purposes of telegraphic communication.
7. MR. CUMMINGS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, the following Returns of money voted for public improvements in the Western District, since the inauguration of Responsible Government,—
  - (1.) A Return shewing the amount voted for repairs of roads and bridges, the formation of new roads, and erection of bridges in each locality.
  - (2.) A Return shewing all sums of money voted for the erection and repairs of Court Houses, Locks-up, Gaols, and all other public buildings, if any, in said District.
  - (3.) A Return shewing the amount voted for the erection of post offices, repairs of same, conveyance of mails, number of post offices in said District, and the amount of salary paid to the postmasters, deputy postmasters, or clerks, if any.
  - (4.) A Return shewing the amount voted for railroad purposes in said District.
  - (5.) A Return shewing the amount voted for the purpose of telegraphic communication.

8. **MR. CUMMINGS** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, the following Returns of money voted for public improvements in the Southern District, since the inauguration of Responsible Government,—
- (1.) A Return, shewing the amount voted for repairs of roads and bridges, the formation of new roads, and erection of bridges, in each locality.
  - (2.) A Return shewing all sums of money voted for the erection and repairs of Court Houses, Locks-up, Gaols, Lighthouses, and all other public buildings (if any) in said District.
  - (3.) A Return shewing the amount voted for the erection and repairs of wharves, jetties, and breakwaters.
  - (4.) A Return shewing the amount voted for the erection of post offices, repairs of same, conveyance of mails, number of post offices in said District, and the amount of salary paid to the postmasters, deputy postmasters, or clerks (if any).
  - (5.) A Return shewing the amount voted for railroad purposes in said District.
  - (6.) A Return shewing the amount voted for the purposes of telegraphic communication.

**Questions :—**

1. **MR. PIDDINGTON** to ask **THE HONORABLE THE MINISTER FOR PUBLIC LANDS AND WORKS**,—Whether the Executive can inform the House when the Survey of the Valley of The Grose will be completed?
2. **MR. ROTTON** to ask **THE HONORABLE THE COLONIAL SECRETARY**,—Whether the Government—bearing in mind the late Mail Robberies on the Western Roads—have considered the propriety of appointing Guards for the Western Mails?
3. **MR. ROTTON** to ask **THE SECRETARY FOR LANDS AND WORKS**,—Is there any officer appointed to inspect the Telegraphic works now in course of erection to the westward; if so, has he made any report of the manner in which the works are being carried out, in the following particulars, viz.:—whether the posts, in their quality, dimensions, and description of timber, are according to contract; and whether they are sufficiently charred, tarred, and rammed?
4. **MR. CUMMINGS** to ask **THE HONORABLE THE COLONIAL TREASURER**,—If it is the intention of the Government to cause any alteration to be made in the law at present in operation, enforcing payment of Duty on Gold (being the product of New South Wales) coined at Her Majesty's Mint in this Colony?

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**TUESDAY, SEPTEMBER 20.**

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. **MR. MORRIS** to move for leave to bring in a Bill to amend and define the tenure constitution and duties of the office of Auditor General.
2. **DR. LANG** to move for leave to bring in a Bill to limit the duration of the present and of all future Legislative Assemblies of New South Wales, to three years.
3. **MR. HODGSON** to move,—
  - (1.) That a Select Committee—with liberty to send for persons and papers—be appointed to inquire into and report upon the claims of Mr. David Morris and others, who have been hitherto unable to obtain compensation for lands and tenements from which—on account of Railway purposes—they have been summarily ejected, at Honey-suckle Point, Newcastle.
  - (2.) That such Committee consist of Mr. Robertson, Mr. Hay, Mr. Flood, Mr. Jones, Mr. Close, Mr. Scott, Capt. Russell, Mr. Cape, and the Mover.
4. **MR. DARVALL** to move,—
  - (1.) That the proposed increase of Postage on Newspapers transmitted to and from the United Kingdom is inexpedient, and at variance with the understanding upon which the Mail Service has been subsidized, and ought not to be imposed without the concurrence of the Local Legislature.
  - (2.) That an Address be presented to the Governor General praying that His Excellency will be pleased to transmit a copy of the foregoing Resolution to Her Majesty's Principal Secretary of State for the Colonies.
5. **MR. DARVALL** to move, That the proposed separation of Moreton Bay from the Colony of New South Wales is premature and inexpedient,—
  - (1.) Because the power reserved to Her Majesty by the Constitution Act to alter the boundary of the Colony of New South Wales on the North, in such manner as to Her Majesty might seem fit, has not been invoked by the people of this Colony, nor by their representatives.
  - (2.) Because the assent of the Legislature of this Colony to the proposed separation has not been obtained, and it is manifestly harsh and inconsistent to split into fragments, without their own consent, a community possessing Responsible Government, and the absolute control over their local affairs.
  - (3.) Because the population of the proposed Colony of Queensland is so small and scattered as to be unable to discharge the duties of self-government economically or efficiently.
  - (4.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to transmit a copy of the foregoing Resolutions to Her Majesty's Principal Secretary of State for the Colonies.
6. **MR. DARVALL** to move, That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the Legislature of New South Wales,—

(1.) Because the Colony of New South Wales, as at present constituted, is entitled to the undivided Crown Lands, and to the Territorial Revenue of the Colony which is a portion of the security for the Public Debt and Civil List of the Colony; and no change in the position of the public creditor or debtor in reference to that security can lawfully be made without the concurrence of the Legislature who represent the latter, and are bound to protect the former.

(2.) Because the payment of the Debt and Civil List of the Colony, and the administration of the security on which they rest, are matters of local concern only, with which the Local Legislature alone can deal.

(3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a copy of the foregoing Resolutions to be transmitted to Her Majesty's Principal Secretary of State for the Colonies.

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WEDNESDAY, SEPTEMBER 21.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. HARGRAVE to move for leave to bring in a Bill to facilitate the Transfer of Land.

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THURSDAY, SEPTEMBER 22.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move for leave to bring in a Bill to promote Public Education.
2. MR. HARGRAVE to move for leave to bring in a Bill to amend the District Courts Act.

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FRIDAY, SEPTEMBER 23.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Copy of the Warehouse Keeper's List of Deficiencies lately discovered in the Bonded Warehouses in Sydney.
  - (2.) Copy of the Collector's Report on these Deficiencies.
  - (3.) Copy of Correspondence between the Collector and any Bonded Warehouse Keeper, as to Deficiencies in Teas imported in 1856.
  - (4.) Copies of Documents showing the alterations which were made in the weights of the Teas after landing.
  - (5.) The amount of Duty paid in 1856, on Teas imported by the ship "Hirondelle" in that year.
  - (6.) The date when the Duty on the Teas per "Hirondelle" were paid.
2. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all cases in which the Attorney General has declined to prosecute within the last three years; showing the dates on which the depositions were received in the Attorney General's Office; the dates on which the determination not to prosecute had been arrived at; and the dates of the discharge of the accused out of custody in consequence of such determination.

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TUESDAY, SEPTEMBER 27.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MURRAY to move for leave to bring in a Bill to abolish the Law of Primogeniture in New South Wales.
2. MR. MURRAY to move for leave to bring in a Bill to abolish Capital Punishment in this Colony.
3. MR. MORRIS to move for leave to bring in a Bill to provide for the preparation, audit, and presentation to Parliament of Annual Accounts of the Receipt and Expenditure of the Public Revenues; and to define the tenure, constitution, and duties of the office of Auditor General.

DANIEL COOPER,

*Speaker.*

No. 9.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

WEDNESDAY, 14 SEPTEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Member of Committee of Elections and Qualifications Sworn :—The Honorable John Hay, Esquire, Sworn at the Table, by the Clerk, as a Member of the Committee of Elections and Qualifications for the present Session, pursuant to the requirement of the 70th Section of the Electoral Act of 1858.
2. Sydney Necropolis Act Repeal Bill :—Mr. Robertson moved, pursuant to notice, for leave to bring in a Bill to repeal the Sydney Necropolis Act, 11 Victoria, No. 11.  
Debate ensued.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
3. Postponement :—Mr. Robertson postponed the motion standing in his name second on the Notice Paper of Government Business for to-day, until this day week.
4. Semi-Circular Quay Tramway Bill :—Mr. Robertson moved, pursuant to notice, for leave to bring in a Bill to enable the Commissioner of Railways to construct a Tramway from the Railway Terminus at Redfern, to the Semi-Circular Quay in Sydney Cove.  
Question put and passed; *Ordered*, that the Mover and Seconder prepare and bring in the Bill.
5. Retrenchment in the Public Expenditure :—Mr. Cowper moved, pursuant to amended notice,—  
(1.) That a Select Committee be appointed, to inquire and report what changes can be made in the respective Departments of the Government, with a view to promoting their efficiency, and at the same time reducing their cost to the public, and that such Committee have power to send for persons and papers.  
(2.) That the Committee consist of ten Members, viz. :—Mr. Arnold, Mr. Flood, Mr. Parkes, Mr. Jones, Mr. McArthur, Mr. Byrnes, Mr. Robertson, and the Mover and Seconder (Mr. Cowper and Mr. Bayley).  
Debate ensued.
6. Transmission of Messages between the two Houses :—The following Message from the Legislative Council received and read :—

MR. SPEAKER,

The Legislative Council having this day agreed to the following Resolutions in respect to the transmission of Messages between the two Houses of Parliament, viz. :—

" 1. That, in addition to the mode provided by the Standing Orders, with regard to the Messages between the Legislative Council and Legislative Assembly, and in accordance with the practice of preceding Parliaments, one of the Clerks of either House may be the bearer of Messages from the one to the other.

" 2. That Messages so sent be received at the Bar by one of the Clerks of the House to which they are sent, at any time whilst such House is sitting, or in Committee, without interrupting the business then proceeding.

" 3. That it be the duty of the Clerk to communicate every Message so received at the earliest opportunity, without interrupting the public business, to the President, by whom it shall be made known to the House." communicates the same to the Legislative Assembly, and requests its concurrence therein.

Legislative Council Chamber,  
Sydney, 1st September, 1859.

W. W. BURTON,  
President.

*Ordered*, on motion of Mr. Cowper, to be taken into consideration to-morrow.

7. Retrenchment in the Public Expenditure :—The Debate on Mr. Cowper's motion,—  
(1.) That a Select Committee be appointed, to inquire and report what changes can be made in the respective Departments of the Government, with a view to promoting their efficiency, and at the same time reducing their cost to the public, and that such Committee have power to send for persons and papers.

(2.)

(2.) That the Committee consist of ten Members, viz. :—Mr. Arnold, Mr. Flood, Mr. Parkes, Mr. Jones, Mr. McArthur, Mr. Byrnes, Mr. Robertson, and the Mover and Seconder—interrupted by the foregoing Message,—resumed ;—

And Mr. Hodgson requiring that the proposed Committee be appointed by Ballot,—  
Question—That a Select Committee be appointed, to inquire and report what changes can be made in the respective Departments of the Government, with a view to promoting their efficiency, and at the same time reducing their cost to the public, and that such Committee have power to send for persons and papers,—put and passed ;—

Whereupon the House proceeded to the Ballot, and the Speaker declared the following Members to be, with the Mover, the Committee duly appointed, viz. :—Mr. Flood, Mr. Parkes, Mr. Jones, Mr. Forster, Mr. Arnold, Mr. Robertson, Mr. Byrnes, Mr. Hay, and Mr. McArthur.

8. Secondary Punishment :—Mr. Cowper moved, pursuant to amended notice,—

(1.) That a Select Committee be appointed, to take into consideration and report upon the subject of Secondary Punishment.

(2.) That such Committee consist of Mr. Black, Mr. Cape, Mr. Hargrave, Mr. Parkes, Mr. Flood, Mr. Elliott, Mr. Samuel, and the Mover and Seconder.

And Mr. Wilson requiring that the proposed Committee be appointed by Ballot,—  
Debate ensued.

Question—That a Select Committee be appointed, to take into consideration and report upon the subject of Secondary Punishment,—put and passed ;—

Whereupon the House proceeded to the Ballot, and the Speaker declared the following Members to be, with the Mover, the Committee duly appointed, viz. :—Mr. Flood, Mr. Parkes, Mr. Forster, Mr. Cape, Mr. Dark, Mr. Elliott, Mr. Black, Mr. Bayley, and the Rev. Dr. Lang.

9. Mr. C. F. Gorton :—Mr. Wild moved, pursuant to amended notice,—

(1.) That a Select Committee be appointed to inquire into and report upon the dismissal of Mr. C. F. Gorton from the Survey Department, with power to send for persons and papers ; and that all papers laid upon the Table of the House at the close of last Session in reference thereto, and the Minutes of Proceedings and Evidence taken before the Select Committee of Session 1858, on the Management of the Survey Department, be referred to such Committee.

(2.) That such Committee consist of Mr. Murray, Mr. Macleay, Mr. Flood, Mr. Douglas, Mr. Morris, Mr. Jenkins, and the Mover.

And Mr. Robertson requiring that the proposed Committee be appointed by Ballot,—

Question—That a Select Committee be appointed to inquire into and report upon the dismissal of Mr. C. F. Gorton from the Survey Department, with power to send for persons and papers ; and that all papers laid upon the Table of the House at the close of last Session in reference thereto, and the Minutes of Proceedings and Evidence taken before the Select Committee of Session 1858, on the Management of the Survey Department, be referred to such Committee,—put and passed ;—

Whereupon, the House proceeded to the Ballot, and the Speaker declared the following Members to be, with the Mover, the Committee duly appointed, viz. :—Mr. Murray, Mr. Douglas, Mr. Flood, Mr. Macleay, Mr. Morris, and Mr. Scott.

The House adjourned at a quarter before Eight o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, SEPTEMBER 15.

### GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move for leave to introduce a Bill to amend the Constitution Act, so far as relates to the provision for Public Worship.
2. MR. COWPER to move for leave to introduce a Bill further to regulate and secure the Pensions of the Judges.
3. MR. COWPER to move, That, with a view to the more effectual administration of the Ministerial Departments, the Department of Secretary for Lands and Public Works be divided, and that a new Department be created to be called the Department of Public Works.
4. MR. BAYLEY to move for leave to bring in a Bill for the better Prevention of Cattle Stealing.

### ORDERS OF THE DAY :—

1. New Trial Motions Practice Amendment Bill ; second reading.
2. Transmission of Messages between the two Houses ; consideration of Message from the Legislative Council.

OTHER

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. CLARK IRVING to move, That an Address be presented to the Governor General, praying,—
  - (1.) That His Excellency will be pleased to direct that a Marine Surveyor shall be appointed to proceed to the Clarence and Richmond Rivers, for the purpose of reporting upon any impediments to the navigation of those waters by vessels of larger tonnage than are usually engaged for bar-harbours on our coasts, and the probable cost of their removal.
  - (2.) That, according to the Report of Commander Yule, R.N., on the south side of the entrance to the Clarence River, (which is the deepest) there are ten feet at low water, and within the entrance the depth is from two to four fathoms, where there is good anchorage inside the bar, in a channel near the south shore; that the width of this channel might be considerably widened by the removal of a small rocky ledge which lies along it, and is a serious impediment to its navigation; that even now, vessels drawing as much as fourteen feet, may enter, whilst fifty miles up the Clarence River vessels of large tonnage may be repaired,—means of heaving down, artificers, and stores, being available; that the great increase of population in the Clarence District, and its immense agricultural and pastoral capacities, require that the full means of navigating its noble river should be afforded.
  - (3.) That the Richmond River being entered over a shifting bar, requires that any additional impediments to its safe entry should be removed; and it has been reported to the Government that by the reckless discharge of ballast at its *embouchure*, by masters of coasting vessels, the natural obstacles of shifting sands have been considerably aggravated.
  - (4.) That His Excellency will therefore be pleased to place upon the Estimates of Expenditure a sufficient sum for defraying the cost of such a survey, as may apprise the Government of the best mode of improving the entrances to both rivers.
2. MR. PARKES to move, That the Petition of Frederick Dunbar, presented by him on the 1st instant, be printed.

## Questions :—

1. MR. SAMUEL to ask THE HONORABLE THE SECRETARY FOR PUBLIC LANDS AND WORKS,—Whether it is the intention of the Government to submit any proposition to Parliament during the present Session, for the further extension of the three great lines of Railway?
2. MR. ASHER to ask THE HONORABLE THE MINISTER FOR LANDS AND WORKS,—Whether any tenders have been received by him, as called for on the 23rd August last, for the construction of Bridges between Yass and Albury; and, if any such tenders have been received, when it is likely the above work will be commenced?
3. MR. MORT to ask THE HONORABLE THE PREMIER,—If he has any objection to lay on the Table of this House the Correspondence between the Executive and the Police Magistrate of Ipswich, in reference to the conduct of Constable Elligett, of Ipswich?
4. MR. PARKES to ask THE COLONIAL SECRETARY,—Whether the Government are in a position to afford this House any further and more definite information than is contained in the Papers laid on the Table, in reference to the establishment of Steam Communication *via* Panama, and whether there is any objection to state the nature, as well as the dates, of the last Despatches from the Local Government on the subject, addressed either to our Agent or the Secretary of State?
5. MR. PARKES to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government during the present Session of Parliament to introduce any measure to provide for the Defence of the Colony against Foreign aggression, either by a Militia or a Volunteer Force?
6. MR. PARKES to ask THE COLONIAL SECRETARY,—When the Estimates for 1860 are likely to be laid before this House?
7. MR. WISDOM to ask THE HONORABLE THE ATTORNEY GENERAL,—Whether it is the intention of the Government to appoint Sofala to be a place for holding District Courts under the provisions of the District Courts Act of 1859?
8. MR. HAY to ask THE ATTORNEY GENERAL,—
  - (1.) When the first District Courts were held at Albury, Gundagai, Wagga Wagga, and Tumut?
  - (2.) Whether the arrangements which Mr. Solicitor General Dalley intimated, in answer to a question put by Mr. George Macleay, were in contemplation for extending the action of District Courts to Deniliquin, are likely to be soon carried out?

. FRIDAY, SEPTEMBER 16.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. SCOTT to move,—
  - (1.) That a Select Committee be appointed to inquire into and report upon the best means of improving the Alluvial Lands of the Hunter, by a system of drainage, and the legal provisions under which such a system may be carried out; and that all proceedings and papers of the Select Committees of last Parliament connected with this inquiry be referred to the Committee.
  - (2.) That such Committee consist of Mr. Arnold, Mr. Black, Mr. Cape, Mr. Close, Mr. Hodgson, Mr. Jones, Mr. Piddington, Mr. Windeyer, Mr. Wisdom, and Mr. Scott.
2. MR. FORSTER to move for leave to introduce a Bill to alter and amend the Act of Council, 16 Vict. No. 33, intituled "The Police Regulation Act."

3. MR. JONES to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid on the Table of this House, Copies of all Petitions presented by James Hibburd, a convict sentenced to ten years hard labour on the roads or other public works, and said to have been prematurely released from Cookatoo Island in June, 1858, praying for remission of sentence; of all applications presented to the Convict Classification Board, or to the Government, on behalf of the said Hibburd; of all correspondence between the Convict Classification Board and the Government, and between the Colonial Secretary or any other Member of the Government, and His Honor the Chief Justice in reference to the case of Hibburd; of all Minutes of Proceedings (if any) of the Executive Council in reference to this case; and of the letter conveying the decision of the Executive Government in reference to the remission of Hibburd's sentence; together with a statement shewing how this decision was carried out.
4. MR. WILSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return shewing the names of all persons condemned to death in New South Wales since 1840; the crimes for which they were convicted; the names of those whose sentences were commuted; at whose suggestion they were so,—and what punishment was substituted in each case.
5. MR. WILSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return shewing the names of all the Clergymen in New South Wales receiving State support—the amount received—and the duties performed by each—when they are performed—and where.
6. MR. CUMMINGS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, the following Returns of money voted for public improvements in the Northern District since the inauguration of Responsible Government,—
  - (1.) A Return shewing the amount voted for repairs of roads and bridges, the formation of new roads, and erection of bridges in each locality.
  - (2.) A Return shewing all sums of money voted for the erection and repairs of Court Houses, Locks-up, Gaols, Lighthouses, and all other public buildings, if any.
  - (3.) A Return shewing the amount voted for the erection and repairs of wharves, jetties, breakwaters, and embankments of the waters of the River Hunter.
  - (4.) A Return shewing the amount paid for dredging machines, repairs of same, and all expenses incurred in working them upon the Hunter, or other Northern Rivers.
  - (5.) A Return shewing the amount voted for the erection of post offices, repairs of same, conveyance of mails, number of post offices in said District, and the amount of salary paid to the postmasters, deputy postmasters, or clerks, if any.
  - (6.) A Return shewing the amount voted for railroad purposes in said District.
  - (7.) A Return shewing the amount voted for the purposes of telegraphic communication.
7. MR. CUMMINGS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, the following Returns of money voted for public improvements in the Western District, since the inauguration of Responsible Government,—
  - (1.) A Return shewing the amount voted for repairs of roads and bridges, the formation of new roads, and erection of bridges in each locality.
  - (2.) A Return shewing all sums of money voted for the erection and repairs of Court Houses, Locks-up, Gaols, and all other public buildings, if any, in said District.
  - (3.) A Return shewing the amount voted for the erection of post offices, repairs of same, conveyance of mails, number of post offices in said District, and the amount of salary paid to the postmasters, deputy postmasters, or clerks, if any.
  - (4.) A Return shewing the amount voted for railroad purposes in said District.
  - (5.) A Return shewing the amount voted for the purpose of telegraphic communication.
8. MR. CUMMINGS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, the following Returns of money voted for public improvements in the Southern District, since the inauguration of Responsible Government,—
  - (1.) A Return, shewing the amount voted for repairs of roads and bridges, the formation of new roads, and erection of bridges, in each locality.
  - (2.) A Return shewing all sums of money voted for the erection and repairs of Court Houses, Locks-up, Gaols, Lighthouses, and all other public buildings (if any) in said District.
  - (3.) A Return shewing the amount voted for the erection and repairs of wharves, jetties, and breakwaters.
  - (4.) A Return shewing the amount voted for the erection of post offices, repairs of same, conveyance of mails, number of post offices in said District, and the amount of salary paid to the postmasters, deputy postmasters, or clerks (if any).
  - (5.) A Return shewing the amount voted for railroad purposes in said District.
  - (6.) A Return shewing the amount voted for the purposes of telegraphic communication.
9. MR. MARTIN to move,—
  - (1.) That it is the opinion of this House, that the Proclamation of His Excellency the Governor General, of the 11th July last, by which it was declared, in effect, that certain buildings, not then in existence, and certain other buildings theretofore used as Watch-houses or lock-ups, at the places therein named, should be Public Gaols, Prisons, and Houses of Correction, was issued improvidently and without a due regard to the public interests, and that steps should be immediately taken to cause such Proclamation to be made void.



- (2.) That it is the opinion of this House, that the Proclamation of His Excellency of the same date, by which it was declared that Courts of General Quarter Sessions should be holden at certain times and places therein mentioned, was issued improvidently, and without a due regard to the public interests, and that steps should be immediately taken to cause such Proclamation to be made void.
- (3.) That it is the opinion of this House, that no building should be declared to be a Gaol or House of Correction, unless proper means exist for the safe custody, with due regard to health of the persons confined therein.
- (4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.

**Questions :—**

1. MR. PIDDINGTON to ask THE HONORABLE THE MINISTER FOR PUBLIC LANDS AND WORKS,—Whether the Executive can inform the House when the Survey of the Valley of The Grose will be completed?
2. MR. ROTTON to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether the Government—bearing in mind the late Mail Robberies on the Western Roads—have considered the propriety of appointing Guards for the Western Mails?
3. MR. ROTTON to ask THE SECRETARY FOR LANDS AND WORKS,—Is there any officer appointed to inspect the Telegraphic works now in course of erection to the westward; if so, has he made any report of the manner in which the works are being carried out, in the following particulars, viz.:—whether the posts, in their quality, dimensions, and description of timber, are according to contract; and whether they are sufficiently charred, tarred, and rammed?
4. MR. CUMMINGS to ask THE HONORABLE THE COLONIAL TREASURER,—If it is the intention of the Government to cause any alteration to be made in the law at present in operation, enforcing payment of Duty on Gold (being the product of New South Wales) coined at Her Majesty's Mint in this Colony?
5. MR. JENKINS to ask THE HONORABLE THE COLONIAL SECRETARY,—If the recent establishment of Horse Patrol in the Northern Districts is rendered necessary through any increase of crime, inefficiency of the ordinary police force, or in consequence of the urgent requests of the inhabitants of those Districts.
6. MR. OAKES to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether it is the intention of the Government, during the present Session, to bring forward a Bill to repeal the 20 Vic., No. 38, known as the Broad Wheels Act?

**TUESDAY, SEPTEMBER 20.**

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. MR. MORRIS to move for leave to bring in a Bill to amend and define the tenure constitution and duties of the office of Auditor General.
2. DR. LANG to move for leave to bring in a Bill to limit the duration of the present and of all future Legislative Assemblies of New South Wales, to three years.
3. MR. HODGSON to move,—
  - (1.) That a Select Committee—with liberty to send for persons and papers—be appointed to inquire into and report upon the claims of Mr. David Morris and others, who have been hitherto unable to obtain compensation for lands and tenements from which—on account of Railway purposes—they have been summarily ejected, at Honey-suckle Point, Newcastle.
  - (2.) That such Committee consist of Mr. Robertson, Mr. Hay, Mr. Flood, Mr. Jones, Mr. Close, Mr. Scott, Capt. Russell, Mr. Cape, and the Mover.
4. MR. DARVALL to move,—
  - (1.) That the proposed increase of Postage on Newspapers transmitted to and from the United Kingdom is inexpedient, and at variance with the understanding upon which the Mail Service has been subsidized, and ought not to be imposed without the concurrence of the Local Legislature.
  - (2.) That an Address be presented to the Governor General praying that His Excellency will be pleased to transmit a copy of the foregoing Resolution to Her Majesty's Principal Secretary of State for the Colonies.
5. MR. DARVALL to move, That the proposed separation of Moreton Bay from the Colony of New South Wales is premature and inexpedient,—
  - (1.) Because the power reserved to Her Majesty by the Constitution Act to alter the boundary of the Colony of New South Wales on the North, in such manner as to Her Majesty might seem fit, has not been invoked by the people of this Colony, nor by their representatives.
  - (2.) Because the assent of the Legislature of this Colony to the proposed separation has not been obtained, and it is manifestly harsh and inconsistent to split into fragments, without their own consent, a community possessing Responsible Government, and the absolute control over their local affairs.
  - (3.) Because the population of the proposed Colony of Queensland is so small and scattered as to be unable to discharge the duties of self-government economically or efficiently.
  - (4.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to transmit a copy of the foregoing Resolutions to Her Majesty's Principal Secretary of State for the Colonies.

(4.)

6. **MR. DARVALL** to move, That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the Legislature of New South Wales,—
  - (1.) Because the Colony of New South Wales, as at present constituted, is entitled to the undivided Crown Lands, and to the Territorial Revenue of the Colony which is a portion of the security for the Public Debt and Civil List of the Colony; and no change in the position of the public creditor or debtor in reference to that security can lawfully be made without the concurrence of the Legislature who represent the latter, and are bound to protect the former.
  - (2.) Because the payment of the Debt and Civil List of the Colony, and the administration of the security on which they rest, are matters of local concern only, with which the Local Legislature alone can deal.
  - (3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a copy of the foregoing Resolutions to be transmitted to Her Majesty's Principal Secretary of State for the Colonies.
7. **MR. PLUNKETT** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Benches of Magistrates, the Sheriff of the Colony, and the Government, previous to or after the issuing of the Proclamation constituting a number of places as Goals, Prisons, and Houses of Correction, respecting the same; also, a list of all appointments made by the Sheriff, of Gaolers and other Officers, having legal charge of such new Goals, specifying the time at which such appointments were made.
8. **MR. BROUGHTON** to move,—
  - (1.) That a Select Committee be appointed to inquire into all matters connected with the Municipal Council of the City of Sydney, with power to send for persons and papers.
  - (2.) That such Committee consist of the following Members:—Dr. Lang, Mr. Robertson, Mr. Plunkett, Mr. Dalley, Mr. Martin, Mr. Jones, Mr. Flood, Mr. Black, and Mr. Rotton.
9. **MR. FORSTER** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Return of all proceedings in the case of Edward Lloyd Lewis of the Detective Police of New South Wales, committed by the Court of Petty Sessions, Sydney, for Perjury, upon October 7, 1858, to the time of discharge of the aforesaid Edward Lloyd Lewis, in consequence of the Crown declining to prosecute.
  - (2.) Copies of all Correspondence between the Executive Government and any person or persons having reference to the case above specified.
  - (3.) A Return shewing the number of days that elapsed from the time of committal above specified, to the time of discharge of the aforesaid Edward Lloyd Lewis; also, the number of times at which the case was postponed, and the reasons, if any, for such postponements.
  - (4.) A Return shewing the amount and specifying particulars of all expenses incurred by the Crown by the proceedings in the aforesaid case, to the time of discharge of the aforesaid Edward Lloyd Lewis.

**Questions:—**

1. **MR. HART** to ask **THE HONORABLE THE COLONIAL SECRETARY**,—With reference to the papers relating to the Armidale Magistrates, laid upon the Table on the 9th April last,—
  - (1.) If the Honorable the Chief Secretary did not, upon receipt of the letter, dated 19th January, 1859, from those Magistrates, make a Minute thereon directing that a *superseas* should issue against them?
  - (2.) At whose suggestion, or for what reason was that direction not carried out?
  - (3.) Have the Magistrates who signed this letter, since the date thereof, returned to their Bench duties? If not, is it the intention of the Government to remove them, and appoint others in their stead?
  - (4.) Is it in contemplation by the Government to issue a new General Commission of the Peace? If so, when?

**WEDNESDAY, SEPTEMBER 21.**

**GOVERNMENT BUSINESS—NOTICES OF MOTION:—**

1. **MR. HARGRAVE** to move for leave to bring in a Bill to facilitate the Transfer of Land.
2. **MR. ROBERTSON** to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

**THURSDAY, SEPTEMBER 22.**

**GOVERNMENT BUSINESS—NOTICES OF MOTION:—**

1. **MR. COWPER** to move for leave to bring in a Bill to promote Public Education.
2. **MR. HARGRAVE** to move for leave to bring in a Bill to amend the District Courts Act.

**OTHER BUSINESS—NOTICE OF MOTION:—**

1. **MR. CLARK IRVING** to move, That an Address be presented to His Excellency the Governor General, setting forth:—
  - (1.) That by reason of the great cost in conveying timber to the coast, or rivers, or roads, which is cut in those districts of this Colony where the most valuable descriptions of native woods are found, the imposition of the License Fee for permission to cut timber falls heavily upon the sawyers.

(2.)

(2.) That the exportation of timber, ocean-wise, to this Colony, by the United States, Norway, Sweden, Germany, Great Britain and other Countries, is carried out to an extent which may be averaged at about £400,000 per annum; whilst the cost of carriage is far less than that which is incurred in conveying timber cut in this Colony, a very few miles to the nearest way of transmission, either by land or water, to the nearest local markets.

(3.) That in addition to the quantity of cut timber annually exported to this Colony by the United States, large amounts of turnery and woodware are exported to this Colony from the State Prisons of America, being the manufacture of convicts; and that such turnery and woodware are not allowed to be offered for sale in the United States, a competition there between free and prison labor being forbidden; but that these wares are exported to those Countries, where they are admitted duty free.

(4.) That, whether as regards the impossibility of competing with the exporters of foreign-cut timber, which enters our ports free of duty, or with the manufactured woodwares from the American prisons, the licensed sawyers in this Colony are placed in a most unfavourable position; and this House, therefore, prays that His Excellency will be pleased to direct that a Bill be prepared, enacting, that the Licensing Fee for cutting timber in this Colony be abolished; or, that His Excellency will direct a Bill to be prepared, imposing such a duty upon imported timber, turnery, and woodware, as may enable the industry of this Colony to compete, fairly, with that of foreigners.

#### FRIDAY, SEPTEMBER 23.

##### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Copy of the Warehouse Keeper's List of Deficiencies lately discovered in the Bonded Warehouses in Sydney.
  - (2.) Copy of the Collector's Report on these Deficiencies.
  - (3.) Copy of Correspondence between the Collector and any Bonded Warehouse Keeper, as to Deficiencies in Teas imported in 1856.
  - (4.) Copies of Documents shewing the alterations which were made in the weights of the Teas after landing.
  - (5.) The amount of Duty paid in 1856, on Teas imported by the ship "Hirondelle" in that year.
  - (6.) The date when the Duty on the Teas per "Hirondelle" were paid.
2. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all cases in which the Attorney General has declined to prosecute within the last three years; shewing the dates on which the depositions were received in the Attorney General's Office; the dates on which the determination not to prosecute had been arrived at; and the dates of the discharge of the accused out of custody in consequence of such determination.

#### TUESDAY, SEPTEMBER 27.

##### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MURRAY to move for leave to bring in a Bill to abolish the Law of Primogeniture in New South Wales.
2. MR. MURRAY to move for leave to bring in a Bill to abolish Capital Punishment in this Colony.
3. MR. MORRIS to move for leave to bring in a Bill to provide for the preparation, audit, and presentation to Parliament of Annual Accounts of the Receipt and Expenditure of the Public Revenues; and to define the tenure, constitution, and duties of the office of Auditor General.
4. MR. FLOOD to move, That there be laid on the Table of this House,—
  - (1.) A Return of all sums of money voted by this House for Public Works or Buildings (not Railways) for the years 1857 and 1858.
  - (2.) A Return of all Works or Buildings which have been constructed agreeably to the votes taken for the above period.
  - (3.) The amount of every Tender for Works or Buildings so constructed, and the actual amount expended upon each service.
  - (4.) The amount (if any) of any outstanding claims upon the Government for Works or Buildings executed during these years.
  - (5.) A Return shewing the manner in which the sums of £6,000 and £10,000 respectively voted in 1857 and 1858 for repairs, alterations, and additions to Public Buildings have been appropriated, giving amount expended upon each separate Building, Work, or general repair.

##### Question:—

1. MR. HART to ask THE HONORABLE THE ATTORNEY GENERAL:—

- (1.) Is it his intention to take any Criminal proceedings against Mr. W. R. Bligh, late Clerk of Petty Sessions at Armidale, upon the charges of malversation of office and extortion, set forth in the Report of Mr. E. D. Day, dated 9th February, 1859?
- (2.) Has Mr. Bligh rendered his accounts as Clerk of Petty Sessions to the Government, and paid over all moneys received by him?

DANIEL COOPER,  
Speaker.



No. 10.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

THURSDAY, 15 SEPTEMBER, 1850.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Samuel Clift:—Mr. Plunkett presented a Petition from Samuel Clift, praying that the House will institute such proceedings as to them shall seem fit, to uphold his claim to a Run or Station called "Doono,"—  
 And moved,—That the Petition be received.  
 Debate ensued.  
 And the Petition being read at length by the Clerk,—  
 Question put.  
 The House divided.

Ayes, 43.

Mr. Cowper,	Mr. Close,
Mr. Robertson,	Mr. Hodgson,
Mr. Weekes,	Mr. Jones,
Mr. Irving,	Mr. Russell,
Mr. Nott,	Mr. Elliott,
Mr. Byrnes,	Mr. Hay,
Mr. Rotton,	Mr. Morris,
Mr. Asher,	Mr. Samuel,
Mr. Richardson,	Mr. Clements,
Mr. Macalister,	Mr. Piddington,
Mr. Windeyer,	Mr. Flett,
Mr. Sayers,	Mr. G. Lang,
Mr. Parkes,	Mr. Pemell,
Mr. Dark,	Mr. Handcock,
Mr. Watt,	Mr. Black,
Mr. Douglas,	Mr. Wilson,
Mr. Hieronimus,	Mr. Oakes,
Mr. Macleay,	Mr. Jenkins,
Mr. Laycock,	Mr. Hargrave,
Mr. Wisdom,	Mr. Walsh,
Mr. Cummings,	Mr. Plunkett,
Mr. Forster,	

} Tellers.

Noes, 4.

Mr. Campbell,	
Mr. Bayley,	
Mr. Wild,	
Mr. Martin,	

} Tellers.

2. Paper:—Mr. Robertson laid upon the Table, Papers relating to the site of the Sydney Necropolis.  
 Ordered to be printed.
3. Sydney Necropolis Act Repeal Bill:—Mr. Robertson having presented this Bill, Bill intituled "*A Bill to Repeal the Sydney Necropolis Act*," read a first time; ordered to be printed, and read a second time on Wednesday next.
4. Semi-Circular Quay Tramroad Bill:—Mr. Robertson having presented this Bill, Bill intituled "*A Bill for the construction of a Tramroad from the Redfern Railway Terminus to the Semi-Circular Quay*," read a first time; ordered to be printed, and read a second time this day week.
5. Public Worship Bill:—Mr. Cowper moved, pursuant to notice, for leave to introduce a Bill to amend the Constitution Act, so far as relates to the provision for Public Worship.  
 Debate ensued.  
 Question put.  
 The House divided.

Ayes, 36.

Mr. Cowper,	Mr. Piddington,
Mr. Bayley,	Mr. Plunkett,
Mr. Hargrave,	Mr. Samuel,
Mr. Weekes,	Mr. Richardson,
Mr. Robertson,	Mr. Macalister,
Mr. Gray,	Rev. Dr. Lang,
Mr. Douglas,	Mr. Jones,
Mr. Sayers,	Mr. Wisdom,
Mr. Laycock,	Mr. Flett,
Mr. Byrnes,	Mr. Wilson,
Mr. Atkinson,	Mr. Pemell,
Mr. G. Lang,	Mr. Black,
Mr. Parkes,	Mr. Handcock,
Mr. Morris,	Mr. Cribb,
Mr. Hieronimus,	Mr. Campbell,
Mr. Cummings,	Mr. Oakes,
Mr. Broughton,	Mr. Rotton,
Mr. Cape,	Mr. Nott,

} Tellers.

Noes, 16.

Mr. Martin,	Mr. Macleay,
Mr. Mort,	Mr. Ryan,
Mr. Russell,	Mr. Hurley,
Mr. Close,	Mr. Macphillamy,
Mr. Egan,	Mr. Roberts,
Mr. Dark,	Mr. Elliott,
Mr. Hart,	Mr. Clements,
Mr. Wild,	Mr. Hodgson,

} Tellers.

Whereupon

- Whereupon, *Ordered*, on motion of Mr. Cowper,—That the Mover and Seconder prepare and bring in the Bill.
6. Judges' Pensions Bill:—Mr. Cowper moved, pursuant to notice, for leave to introduce a Bill further to regulate and secure the Pensions of the Judges.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
  7. Public Worship Bill:—Mr. Cowper having presented this Bill, Bill intituled "*A Bill to Amend the Constitution Act, so far as relates to the provision for Public Worship*," read a first time; ordered to be printed, and read a second time this day month.
  8. Judges' Pensions Bill:—Mr. Cowper having presented this Bill, Bill intituled "*A Bill further to regulate and secure the Pensions of retired Judges*," read a first time; ordered to be printed, and read a second time on Wednesday week.
  9. Postponement:—Mr. Cowper postponed the motion standing in his name third on the Notice Paper of Government Business for to-day, until Wednesday next.
  10. Cattle Stealing better Prevention Bill:—Mr. Bayley moved, pursuant to notice, for leave to bring in a Bill for the better Prevention of Cattle Stealing.  
Debate ensued.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
  11. New Trial Motion Bill:—Mr. Bayley moved, That this Bill be now read a second time.  
Debate ensued.  
Mr. Martin moved, That the Debate be adjourned until this day fortnight.  
Debate continued.  
Question, on the motion for adjournment of the Debate until this day fortnight,—put and passed.
  12. Transmission of Messages between the two Houses:—Mr. Cowper moved, That the following Message be carried to the Legislative Council by Mr. Cowper and Mr. Hargrave:—  
MR. PRESIDENT,  
The Legislative Assembly having taken into consideration the Message of the Legislative Council, dated the 1st instant, in reference to the transmission of Messages between the two Houses, begs to inform the Council of its concurrence therein.
- DANIEL COOPER,  
Speaker.
- Legislative Assembly Chamber,  
Sydney, 15th September, 1859.
- Question put and passed.
13. Motion dropped:—Mr. Clark Irving not moving the motion standing in his name first on the Notice Paper of Other Business for to-day, it dropped.
  14. Mr. Frederick Dunbar:—Mr. Parkes moved, pursuant to notice, That the Petition of Frederick Dunbar, presented by him on the 1st instant, be printed.  
Question put and passed.  
*Ordered* to be printed.  
The House adjourned at Ten o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, SEPTEMBER 16.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. SCOTT to move,—  
(1.) That a Select Committee be appointed to inquire into and report upon the best means of improving the Alluvial Lands of the Hunter, by a system of drainage, and the legal provisions under which such a system may be carried out; and that all proceedings and papers of the Select Committees of last Parliament connected with this inquiry be referred to the Committee.  
(2.) That such Committee consist of Mr. Arnold, Mr. Black, Mr. Cape, Mr. Close, Mr. Hodgson, Mr. Jones, Mr. Piddington, Mr. Windeyer, Mr. Wisdom, and Mr. Scott.
2. MR. FORSTER to move for leave to introduce a Bill to alter and amend the Act of Council, 16 Vict., No. 33, intituled "*The Police Regulation Act*."
3. MR. JONES to move, That an Address be presented to the Governor-General, praying that His Excellency will cause to be laid on the Table of this House, Copies of all Petitions presented by James Hibburd, a convict sentenced to ten years hard labour on the roads or other public works, and said to have been prematurely released from Cockatoo Island in June, 1858, praying for remission of sentence; of all applications presented to the Convict Classification Board, or to the Government, on behalf of the said Hibburd; of all correspondence between the Convict Classification Board and the Government, and between the Colonial Secretary or any other Member of the Government, and His Honor the Chief Justice in reference to the case of Hibburd; of all Minutes of Proceedings (if any) of the Executive Council in reference to this case; and of the letter conveying the decision of the Executive Government in reference to the remission of Hibburd's sentence; together with a statement shewing how this decision was carried out.

4. MR. WILSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return shewing the names of all persons condemned to death in New South Wales since 1840; the crimes for which they were convicted; the names of those whose sentences were commuted; at whose suggestion they were so,—and what punishment was substituted in each case.
5. MR. WILSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return showing the names of all the Clergymen in New South Wales receiving State support—the amount received—and the duties performed by each—when they are performed—and where.
6. MR. CUMMINGS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, the following Returns of money voted for public improvements in the Northern District since the inauguration of Responsible Government,—
  - (1.) A Return shewing the amount voted for repairs of roads and bridges, the formation of new roads, and erection of bridges in each locality.
  - (2.) A Return shewing all sums of money voted for the erection and repairs of Court Houses, Locks-up, Gaols, Lighthouses, and all other public buildings, if any.
  - (3.) A Return shewing the amount voted for the erection and repairs of wharves, jetties, breakwaters, and embankments of the waters of the River Hunter.
  - (4.) A Return shewing the amount paid for dredging machines, repairs of same, and all expenses incurred in working them upon the Hunter, or other Northern Rivers.
  - (5.) A Return shewing the amount voted for the erection of post offices, repairs of same, conveyance of mails, number of post offices in said District, and the amount of salary paid to the postmasters, deputy postmasters, or clerks, if any.
  - (6.) A Return shewing the amount voted for railroad purposes in said District.
  - (7.) A Return shewing the amount voted for the purposes of telegraphic communication.
7. MR. CUMMINGS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, the following Returns of money voted for public improvements in the Western District, since the inauguration of Responsible Government,—
  - (1.) A Return showing the amount voted for repairs of roads and bridges, the formation of new roads, and erection of bridges in each locality.
  - (2.) A Return shewing all sums of money voted for the erection and repairs of Court Houses, Locks-up, Gaols, and all other public buildings, if any, in said District.
  - (3.) A Return shewing the amount voted for the erection of post offices, repairs of same, conveyance of mails, number of post offices in said District, and the amount of salary paid to the postmasters, deputy postmasters, or clerks, if any.
  - (4.) A Return shewing the amount voted for railroad purposes in said District.
  - (5.) A Return shewing the amount voted for the purpose of telegraphic communication.
8. MR. CUMMINGS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, the following Returns of money voted for public improvements in the Southern District, since the inauguration of Responsible Government,—
  - (1.) A Return, shewing the amount voted for repairs of roads and bridges, the formation of new roads, and erection of bridges, in each locality.
  - (2.) A Return shewing all sums of money voted for the erection and repairs of Court Houses, Locks-up, Gaols, Lighthouses, and all other public buildings (if any) in said District.
  - (3.) A Return shewing the amount voted for the erection and repairs of wharves, jetties, and breakwaters.
  - (4.) A Return shewing the amount voted for the erection of post offices, repairs of same, conveyance of mails, number of post offices in said District, and the amount of salary paid to the postmasters, deputy postmasters, or clerks (if any).
  - (5.) A Return shewing the amount voted for railroad purposes in said District.
  - (6.) A Return shewing the amount voted for the purposes of telegraphic communication.
9. MR. MARTIN to move,—
  - (1.) That it is the opinion of this House, that the Proclamation of His Excellency the Governor General, of the 11th July last, by which it was declared, in effect, that certain buildings, not then in existence, and certain other buildings theretofore used as Watch-houses or lock-ups, at the places therein named, should be Public Gaols, Prisons, and Houses of Correction, was issued improvidently and without a due regard to the public interests, and that steps should be immediately taken to cause such Proclamation to be made void.
  - (2.) That it is the opinion of this House, that the Proclamation of His Excellency of the same date, by which it was declared that Courts of General Quarter Sessions should be holden at certain times and places therein mentioned, was issued improvidently, and without a due regard to the public interests, and that steps should be immediately taken to cause such Proclamation to be made void.
  - (3.) That it is the opinion of this House, that no building should be declared to be a Gaol or House of Correction, unless proper means exist for the safe custody, with due regard to health of the persons confined therein.
  - (4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.

Questions :—

## Questions :—

1. MR. PIDDINGTON to ask THE HONORABLE THE MINISTER FOR PUBLIC LANDS AND WORKS,—Whether the Executive can inform the House when the Survey of the Valley of The Grose will be completed?
2. MR. ROTTON to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether the Government—bearing in mind the late Mail Robberies on the Western Roads—have considered the propriety of appointing Guards for the Western Mails?
3. MR. ROTTON to ask THE SECRETARY FOR LANDS AND WORKS,—Is there any officer appointed to inspect the Telegraphic works now in course of erection to the westward; if so, has he made any report of the manner in which the works are being carried out, in the following particulars, viz.:—whether the posts, in their quality, dimensions, and description of timber, are according to contract; and whether they are sufficiently charred, tarred, and rammed?
4. MR. CUMMINGS to ask THE HONORABLE THE COLONIAL TREASURER,—If it is the intention of the Government to cause any alteration to be made in the law at present in operation, enforcing payment of Duty on Gold (being the product of New South Wales) coined at Her Majesty's Mint in this Colony?
5. MR. JENKINS to ask THE HONORABLE THE COLONIAL SECRETARY,—If the recent establishment of Horse Patrol in the Northern Districts was rendered necessary through any increase of crime, inefficiency of the ordinary police force, or in consequence of the urgent requests of the inhabitants of those Districts?
6. MR. OAKES to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether it is the intention of the Government, during the present Session, to bring forward a Bill to repeal the 20 Vic., No. 38, known as the Broad Wheels Act?
7. MR. FORSTER to ask THE HONORABLE THE COLONIAL SECRETARY,—Why have the Papers asked for by an Address of the Legislative Assembly, agreed to on 11 February, 1859, having reference to the removal of Mr. Surveyor Sanderson from the Public Service, not been laid upon the Table?
8. MR. FORSTER to ask THE HONORABLE THE COLONIAL SECRETARY,—
  - (1.) With reference to the Returns on the subject of Religious Endowments, prayed for by an Address of the Legislative Assembly, dated 21 December, 1858,—why have not the Returns in question been fully furnished?
  - (2.) When will the deficiency be made up?

## TUESDAY, SEPTEMBER 20.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MORRIS to move for leave to bring in a Bill to amend and define the tenure constitution and duties of the office of Auditor General.
2. DR. LANG to move for leave to bring in a Bill to limit the duration of the present and of all future Legislative Assemblies of New South Wales, to three years.
3. MR. HODGSON to move,—
  - (1.) That a Select Committee—with liberty to send for persons and papers—be appointed to inquire into and report upon the claims of Mr. David Morris and others, who have been hitherto unable to obtain compensation for lands and tenements from which—on account of Railway purposes—they have been summarily ejected, at Honey-suckle Point, Newcastle.
  - (2.) That such Committee consist of Mr. Robertson, Mr. Hay, Mr. Flood, Mr. Jones, Mr. Close, Mr. Scott, Capt. Russell, Mr. Capo, and the Mover.
4. MR. DARVALL to move,—
  - (1.) That the proposed increase of Postage on Newspapers transmitted to and from the United Kingdom is inexpedient, and at variance with the understanding upon which the Mail Service has been subsidized, and ought not to be imposed without the concurrence of the Local Legislature.
  - (2.) That an Address be presented to the Governor General praying that His Excellency will be pleased to transmit a copy of the foregoing Resolution to Her Majesty's Principal Secretary of State for the Colonies.
5. MR. DARVALL to move, That the proposed separation of Moreton Bay from the Colony of New South Wales is premature and inexpedient,—
  - (1.) Because the power reserved to Her Majesty by the Constitution Act to alter the boundary of the Colony of New South Wales on the North, in such manner as to Her Majesty might seem fit, has not been invoked by the people of this Colony, nor by their representatives.
  - (2.) Because the assent of the Legislature of this Colony to the proposed separation has not been obtained, and it is manifestly harsh and inconsistent to split into fragments, without their own consent, a community possessing Responsible Government, and the absolute control over their local affairs.
  - (3.) Because the population of the proposed Colony of Queensland is so small and scattered as to be unable to discharge the duties of self-government economically or efficiently.
  - (4.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to transmit a copy of the foregoing Resolutions to Her Majesty's Principal Secretary of State for the Colonies.



6. MR. DARVALL to move, That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the Legislature of New South Wales,—
- (1.) Because the Colony of New South Wales, as at present constituted, is entitled to the undivided Crown Lands, and to the Territorial Revenue of the Colony which is a portion of the security for the Public Debt and Civil List of the Colony; and no change in the position of the public creditor or debtor in reference to that security can lawfully be made without the concurrence of the Legislature who represent the latter, and are bound to protect the former.
  - (2.) Because the payment of the Debt and Civil List of the Colony, and the administration of the security on which they rest, are matters of local concern only, with which the Local Legislature alone can deal.
  - (3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a copy of the foregoing Resolutions to be transmitted to Her Majesty's Principal Secretary of State for the Colonies.
7. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Benches of Magistrates, the Sheriff of the Colony, and the Government, previous to or after the issuing of the Proclamation constituting a number of places as Goals, Prisons, and Houses of Correction, respecting the same; also, a list of all appointments made by the Sheriff, of Gaolers and other Officers, having legal charge of such new Goals, specifying the time at which such appointments were made.
8. MR. BROUGHTON to move,—
- (1.) That a Select Committee be appointed to inquire into all matters connected with the Municipal Council of the City of Sydney, with power to send for persons and papers.
  - (2.) That such Committee consist of the following Members:—Dr. Lang, Mr. Robertson, Mr. Plunkett, Mr. Dalley, Mr. Martin, Mr. Jones, Mr. Flood, Mr. Black, and Mr. Rotton.
9. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
- (1.) A Return of all proceedings in the case of Edward Lloyd Lewis of the Detective Police of New South Wales, committed by the Court of Petty Sessions, Sydney, for Perjury, upon October 7, 1858, to the time of discharge of the aforesaid Edward Lloyd Lewis, in consequence of the Crown declining to prosecute.
  - (2.) Copies of all Correspondence between the Executive Government and any person or persons having reference to the case above specified.
  - (3.) A Return shewing the number of days that elapsed from the time of committal above specified, to the time of discharge of the aforesaid Edward Lloyd Lewis; also, the number of times at which the case was postponed, and the reasons, if any, for such postponements.
  - (4.) A Return shewing the amount and specifying particulars of all expenses incurred by the Crown by the proceedings in the aforesaid case, to the time of discharge of the aforesaid Edward Lloyd Lewis.

Questions :—

1. MR. HART to ask THE HONORABLE THE COLONIAL SECRETARY,—With reference to the papers relating to the Armidale Magistrates, laid upon the Table on the 9th April last,—
  - (1.) If the Honorable the Chief Secretary did not, upon receipt of the letter, dated 19th January, 1859, from those Magistrates, make a Minute thereon directing that a *super-seedeas* should issue against them?
  - (2.) At whose suggestion, or for what reason was that direction not carried out?
  - (3.) Have the Magistrates who signed this letter, since the date thereof, returned to their Bench duties? If not, is it the intention of the Government to remove them, and appoint others in their stead?
  - (4.) Is it in contemplation by the Government to issue a new General Commission of the Peace? If so, when?
2. MR. ROTTON to ask THE HONORABLE THE SECRETARY FOR LANDS and PUBLIC WORKS,—When it is intended to carry out the Works for the protection from floods of the Denison Bridge, over the Macquarie River, at Bathurst, for which the money was voted by the last Parliament?
3. MR. JONES to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether the Government intend to ask the Legislature, this Session, to make any provision towards establishing Telegraphic Communication between the Australian Colonies and the United Kingdom; or to submit any other proposition in reference to this subject; and if so, when the views of the Government are likely to be placed before this House?

WEDNESDAY, SEPTEMBER 21.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. HARGRAVE to move for leave to bring in a Bill to facilitate the Transfer of Land.
2. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

3. Mr. COWPER to move, That, with a view to the more effectual administration of the Ministerial Departments, the Department of Secretary for Lands and Public Works be divided, and that a new Department be created to be called the Department of Public Works.

ORDER OF THE DAY :—

1. Sydney Necropolis Act Repeal Bill ; second reading.

OTHER BUSINESS—NOTICE OF MOTION :—

1. Mr. RICHARDSON to move, That an Address be presented to the Governor General, praying 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 Colonial Secretary, and the Commandant of the Native Police, relative to certain charges preferred by H. C. Corfield, Esq., against the latter gentleman.

THURSDAY, SEPTEMBER 22.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. Mr. COWPER to move for leave to bring in a Bill to promote Public Education.
2. Mr. HARGRAVE to move for leave to bring in a Bill to amend the District Courts Act.

ORDER OF THE DAY :—

1. Semi-Circular Quay Tramroad Bill ; second reading.

OTHER BUSINESS—NOTICE OF MOTION :—

1. Mr. CLARK IRVING to move, That an Address be presented to His Excellency the Governor General, setting forth :—

(1.) That by reason of the great cost in conveying timber to the coast, or rivers, or roads, which is cut in those districts of this Colony where the most valuable descriptions of native woods are found, the imposition of the License Fee for permission to cut timber falls heavily upon the sawyers.

(2.) That the exportation of timber, ocean-wise, to this Colony, by the United States, Norway, Sweden, Germany, Great Britain and other Countries, is carried out to an extent which may be averaged at about £400,000 per annum ; whilst the cost of carriage is far less than that which is incurred in conveying timber cut in this Colony, a very few miles to the nearest way of transmission, either by land or water, to the nearest local markets.

(3.) That in addition to the quantity of cut timber annually exported to this Colony by the United States, large amounts of turnery and woodware are exported to this Colony from the State Prisons of America, being the manufacture of convicts ; and that such turnery and woodware are not allowed to be offered for sale in the United States, a competition there between free and prison labor being forbidden ; but that these wares are exported to those Countries, where they are admitted duty free.

(4.) That, whether as regards the impossibility of competing with the exporters of foreign-cut timber, which enters our ports free of duty, or with the manufactured woodwares from the American prisons, the licensed sawyers in this Colony are placed in a most unfavourable position ; and this House, therefore, prays that His Excellency will be pleased to direct that a Bill be prepared, enacting, that the Licensing Fee for cutting timber in this Colony be abolished ; or, that His Excellency will direct a Bill to be prepared, imposing such a duty upon imported timber, turnery, and woodware, as may enable the industry of this Colony to compete, fairly, with that of foreigners.

FRIDAY, SEPTEMBER 23.

OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Copy of the Warehouse Keeper's List of Deficiencies lately discovered in the Bonded Warehouses in Sydney.
  - (2.) Copy of the Collector's Report on these Deficiencies.
  - (3.) Copy of Correspondence between the Collector and any Bonded Warehouse Keeper, as to Deficiencies in Teas imported in 1856.
  - (4.) Copies of Documents shewing the alterations which were made in the weights of the Teas after landing.
  - (5.) The amount of Duty paid in 1856, on Teas imported by the ship "Hirondelle" in that year.
  - (6.) The date when the Duty on the Teas per "Hirondelle" were paid.
2. Mr. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all cases in which the Attorney General has declined to prosecute within the last three years ; shewing the dates on which the depositions were received in the Attorney General's Office ; the dates on which the determination not to prosecute had been arrived at ; and the dates of the discharge of the accused out of custody in consequence of such determination.
3. Mr. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) Copies of any further Correspondence and Documents, since the 29th December, 1856, relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
  - (2.) A statement of the amount due at the present date by the City Corporation for interest on the Sewerage Debentures.

4. Mr. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between Mr. Cary (the District Judge) and the Government; and also all other letters and papers, including the Minutes of the Executive Council, respecting the removal of Mr. Meymott from the office of Crown Prosecutor.

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TUESDAY, SEPTEMBER 27.

OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. MURRAY to move for leave to bring in a Bill to abolish the Law of Primogeniture in New South Wales.
2. Mr. MURRAY to move for leave to bring in a Bill to abolish Capital Punishment in this Colony.
3. Mr. MORRIS to move for leave to bring in a Bill to provide for the preparation, audit, and presentation to Parliament of Annual Accounts of the Receipt and Expenditure of the Public Revenues; and to define the tenure, constitution, and duties of the office of Auditor General.
4. Mr. FLOOD to move, That there be laid on the Table of this House,—
  - (1.) A Return of all sums of money voted by this House for Public Works or Buildings (not Railways) for the years 1857 and 1858.
  - (2.) A Return of all Works or Buildings which have been constructed agreeably to the votes taken for the above period.
  - (3.) The amount of every Tender for Works or Buildings so constructed, and the actual amount expended upon each service.
  - (4.) The amount (if any) of any outstanding claims upon the Government for Works or Buildings executed during these years.
  - (5.) A Return shewing the manner in which the sums of £6,000 and £10,000 respectively voted in 1857 and 1858 for repairs, alterations, and additions to Public Buildings have been appropriated, giving amount expended upon each separate Building, Work, or general repair.
5. Mr. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, Copies of the Depositions in the case of one Mrs. Williamson and her Son, tried at Parramatta, on the 17th May last, before H. Cary, Esq., District Court Judge; also the Depositions in the case of one Mrs. Peckman, tried at the same place, and at the same Sessions; together with all Correspondence and Memoranda between the Attorney General and Mr. Meymott, the Crown Prosecutor, with reference to placing those persons on their trial.
6. Mr. MOAT to move for leave to bring in a Bill to extend the duration of the Act known as "The Lien on Wool Act."

Question :—

1. Mr. HART to ask THE HONORABLE THE ATTORNEY GENERAL :—
  - (1.) Is it his intention to take any Criminal proceedings against Mr. W. R. Bligh, late Clerk of Petty Sessions at Armidale, upon the charges of malversation of office and extortion, set forth in the Report of Mr. E. D. Day, dated 9th February, 1859?
  - (2.) Has Mr. Bligh rendered his accounts as Clerk of Petty Sessions to the Government, and paid over all moneys received by him?

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WEDNESDAY, SEPTEMBER 28.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Judges' Pensions Bill; second reading.

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THURSDAY, SEPTEMBER 29.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Bayley's motion, "That the New Trial " Motion Bill be now read a second time."

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THURSDAY, OCTOBER 13.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Public Worship Bill; second reading.

DANIEL COOPER,  
*Speaker.*

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No. 11.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

FRIDAY, 16 SEPTEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Committee of Elections and Qualifications:—Mr. Scott, as Chairman, brought up a Report from the Committee of Elections and Qualifications, to the effect that the Petition of certain Electors of New England against the election and return of James Hart, Esquire, as Member for the Electoral District of New England, not being subscribed by any person, either Elector or Candidate, as required by the Electoral Act of 1858, the Committee cannot deal with it on its merits.  
Ordered to be printed.
2. Mr. John Malley:—Mr. Parkes presented a Petition from John Malley, late Railway Surveyor to the Government, representing that he was engaged in London on 27th June, 1855, as a Contract Surveyor for the Government of this Colony for the period of three years from the date of his arrival in the Colony;—complaining of his dismissal one year before the termination of such engagement;—and praying redress.  
Petition received.
3. Newcastle Wallsend Coal Company's Incorporation Bill:—Mr. Jones having presented this Bill, and produced a Certificate that the sum of Twenty-five Pounds had been paid to the credit of the Consolidated Revenue, Bill intituled, "*A Bill to Incorporate the Newcastle Wallsend Coal Company*,"—read a first time.
4. Newcastle Wallsend Coal Company's Railway Bill:—Mr. Jones having presented this Bill, and produced a Certificate that the sum of Twenty-five Pounds had been paid to the credit of the Consolidated Revenue, Bill intituled, "*A Bill to enable certain persons carrying on business at Sydney under the name or style of 'The Newcastle Wallsend Coal Company' to construct a Railway from Land near Newcastle belonging to them, to, and to connect the same with, the Great Northern Railway*,"—read a first time.
5. Paper:—Mr. Weekes laid upon the Table Return to the Address, in reference to Consolidated Revenue Receipts and Expenditure, adopted, on motion of Mr. Piddington, on the 8th February, 1859.  
Ordered to be printed.
6. Alluvial Lands of the Hunter:—Mr. Scott moved, pursuant to amended notice,—  
(1.) That a Select Committee be appointed to inquire into and report upon the best means of improving the Alluvial Lands of the Hunter, by a system of drainage, and the legal provisions under which such a system may be carried out; and that all proceedings and papers of the Select Committees of last Parliament connected with this inquiry be referred to the Committee.  
(2.) That such Committee consist of Mr. Arnold, Mr. Black, Mr. Cape, Mr. Close, Mr. Hodgson, Mr. Jones, Mr. Rotton, Mr. Windeyer, Mr. Wisdom, and the Mover.  
Debate ensued.  
Question—(1.) That a Select Committee be appointed to inquire into and report upon the best means of improving the Alluvial Lands of the Hunter, by a system of drainage, and the legal provisions under which such a system may be carried out; and that all proceedings and papers of the Select Committees of last Parliament connected with this inquiry be referred to the Committee,—put and passed.  
Question—(2.) That such Committee consist of Mr. Arnold, Mr. Black, Mr. Cape, Mr. Close, Mr. Hodgson, Mr. Jones, Mr. Rotton, Mr. Windeyer, Mr. Wisdom, and the Mover,—put and passed.
7. Motion Dropped:—Mr. Forster not moving the motion standing in his name second on the Notice Paper for to-day, it dropped.
8. Postponement:—Mr. Jones postponed the motion standing in his name third on the Notice Paper for to-day, until this day week.
9. Criminals Condemned to Death since 1840:—Mr. Wilson moved, pursuant to amended notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return shewing the names of all persons condemned to death in New South Wales since 1840; the crimes for which they were convicted; the names of those whose sentences were commuted; at whose suggestion they were so;—what punishment was substituted in each case; and the name of the Judge in each case before whom the prisoner was tried.  
Question put and passed.

10.

10. Clergymen receiving State Support:—Mr. Wilson moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return shewing the names of all the Clergymen in New South Wales receiving State support—the amount received—and the duties performed by each—when they are performed—and where.

Debate ensued.

Motion by leave withdrawn.

11. Votes for Public Improvements in the Northern District:—Mr. Cummings moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, the following Returns of money voted for public improvements in the Northern District since the inauguration of Responsible Government,—

(1.) A Return shewing the amount voted for repairs of roads and bridges, the formation of new roads, and erection of bridges in each locality.

(2.) A Return shewing all sums of money voted for the erection and repairs of Court Houses, Locks-up, Gaols, Lighthouses, and all other public buildings, if any.

(3.) A Return shewing the amount voted for the erection and repairs of wharves, jetties, breakwaters, and embankments of the waters of the River Hunter.

(4.) A Return shewing the amount paid for dredging machines, repairs of same, and all expenses incurred in working them upon the Hunter, or other Northern Rivers.

(5.) A Return shewing the amount voted for the erection of post offices, repairs of same, conveyance of mails, number of post offices in said District, and the amount of salary paid to the postmasters, deputy postmasters, or clerks, if any.

(6.) A Return shewing the amount voted for railroad purposes in said District.

(7.) A Return shewing the amount voted for the purposes of telegraphic communication.

Debate ensued.

Question put.

The House divided.

Ayes, 16.

Noes, 37.

Mr. Cowper,	Mr. Hieronimus,	
Mr. Robertson,	Mr. Sayers,	
Mr. Weekes,	Mr. Laycock,	
Mr. Hargrave,	Mr. Fennell,	
Mr. Cummings,	Mr. Wisdom,	
Mr. Jones,	Mr. Hancock,	
Mr. Macphillamy,	Mr. Clements,	
Mr. Hart,	Mr. Watt.	} Tellers.

Rev. Dr. Lang,	Mr. Wilson,	
Mr. Campbell,	Mr. G. Lang,	
Mr. Martin,	Mr. Cribb,	
Mr. Murray,	Mr. Close,	
Mr. Nott,	Mr. Dark,	
Mr. Hay,	Mr. Black,	
Mr. Morris,	Mr. Roberts,	
Mr. Darvall,	Mr. Cooper,	
Mr. Hamilton,	Mr. McArthur,	
Mr. Broughton,	Mr. Macalister,	
Mr. Jenkins,	Mr. Russell,	
Mr. Rotton,	Mr. Mort,	
Mr. Parkes,	Mr. Elliott,	
Mr. Lyons,	Mr. Plunkett,	
Mr. Richardson,	Mr. Byrnes,	
Mr. Scott,	Mr. Oakes,	
Mr. Atkinson,	Mr. Cape,	
Mr. Douglas,	Mr. Samuel.	} Tellers.
Mr. Flett,		

12. Votes for Public Improvements in the Western District:—Mr. Cummings moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, the following Returns of money voted for public improvements in the Western District, since the inauguration of Responsible Government,—

(1.) A Return shewing the amount voted for repairs of roads and bridges, the formation of new roads, and erection of bridges in each locality.

(2.) A Return shewing all sums of money voted for the erection and repairs of Court Houses, Locks-up, Gaols, and all other public buildings, if any, in said District.

(3.) A Return shewing the amount voted for the erection of post offices, repairs of same, conveyance of mails, number of post offices in said District, and the amount of salary paid to the postmasters, deputy postmasters, or clerks, if any.

(4.) A Return shewing the amount voted for railroad purposes in said District.

(5.) A Return shewing the amount voted for the purpose of telegraphic communication.

Debate ensued.

Motion by leave withdrawn.

13. Motion withdrawn:—Mr. Cummings withdrew the motion standing in his name eighth on the Notice Paper for to-day.

14. Paper:—Mr. Robertson, in answer to a question put to him by Mr. Forster, laid upon the Table Return to the Address, in reference to the removal of Mr. Licensed Surveyor Sanderson, adopted, on motion of Mr. Forster, on the 11th February, 1859.

15. Proclamations establishing Gaols and Courts of General Quarter Sessions:—Mr. Martin moved, pursuant to notice,—

(1.) That it is the opinion of this House, that the Proclamation of His Excellency the Governor General, of the 11th July last, by which it was declared, in effect, that certain buildings, not then in existence, and certain other buildings theretofore used as Watch-houses or lock-ups, at the places therein named, should be Public Gaols, Prisons, and Houses of "Correction," was issued improvidently and without a due regard to the public interests, and that steps should be immediately taken to cause such Proclamation to be made void.

(2.)

(2.) That it is the opinion of this House, "that" the Proclamation of His Excellency of the same date, by which it was declared that Courts of General Quarter Sessions should be holden at certain times and places therein "mentioned," was issued improvidently, and without a due regard to the public interests, and that steps should be immediately taken to cause such Proclamation to be made void.

(3.) That it is the opinion of this House, that no building should be declared to be a Gaol or House of Correction, unless proper means exist for the safe custody, with due regard to health, of the persons confined therein.

(4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.

Debate ensued.

Mr. Hay moved, That the Question be amended, by the omission of all the words following the word "Correction," in section (1), to and inclusive of the word "that" after "House," in section (2), and of all the words following the word "mentioned" in section (2), with a view to connect sections (1) and (2), by the insertion of the word "and" after the said word "that" in section (2), and with a view to the insertion after the said word "mentioned" in section (2), of the words "were not calculated to carry out the intentions of the Legislature, and ought to be reconsidered,"—sections (3) and (4) thereby becoming sections (2) and (3).

Debate continued.

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

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

The House divided.

Ayes, 31.

Mr. Cape,	Mr. Martin,	
Mr. Macphillamy,	Mr. Wisdom,	
Mr. Hay,	Mr. Nott,	
Mr. Clements,	Mr. Richardson,	
Mr. Gray,	Mr. Plunkett,	
Mr. Black,	Mr. Elliott,	
Mr. McArthur,	Rev. Dr. Lang,	
Mr. Asher,	Mr. Rotton,	
Mr. Hamilton,	Mr. Campbell,	
Mr. Parkes,	Mr. Jones,	
Mr. Wilson,	Mr. Oakes,	
Mr. Atkinson,	Mr. Byrnes,	
Mr. Piddington,	Mr. Hurley,	
Mr. Murray,	Mr. Watt,	
Mr. Sayers,	Mr. Morris,	
Mr. Forster,		

} Tellers.

Noes, 16.

Mr. Cowper,	Mr. Ryan,	
Mr. Robertson,	Mr. Cribb,	
Mr. Weekes,	Mr. G. Lang,	
Mr. Hargrave,	Mr. Pemell,	
Mr. Scott,	Mr. Laycock,	
Mr. Flett,	Mr. Cummings,	
Mr. Handcock,	Mr. Dark,	
Mr. Macalister,	Mr. Close,	

} Tellers..

Whereupon Question put, *as so amended*,—

(1.) That it is the opinion of this House, that the Proclamation of His Excellency the Governor General, of the 11th July last, by which it was declared, in effect, that certain buildings, not then in existence, and certain other buildings theretofore used as Watch-houses or lock-ups, at the places therein named, should be Public Gaols, Prisons, and Houses of Correction, and the Proclamation of His Excellency of the same date, by which it was declared that Courts of General Quarter Sessions should be holden at certain times and places therein mentioned, were not calculated to carry out the intentions of the Legislature, and ought to be reconsidered.

(2.) That it is the opinion of this House, that no building should be declared to be a Gaol or House of Correction, unless proper means exist for the safe custody, with due regard to health, of the persons confined therein.

(3.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.

The House divided.

Ayes, 27.

Mr. Hay,	Mr. Plunkett,	
Mr. Morris,	Mr. Richardson,	
Mr. Cummings,	Mr. Martin,	
Mr. Gray,	Mr. Wisdom,	
Mr. Watt,	Mr. Elliott,	
Mr. Black,	Mr. Piddington,	
Mr. Forster,	Mr. Rotton,	
Mr. Macphillamy,	Mr. Campbell,	
Mr. Parkes,	Mr. Jones,	
Mr. Wilson,	Mr. Oakes,	
Mr. Hamilton,	Mr. Byrnes,	
Mr. Cape,	Mr. Nott,	
Mr. Murray,	Mr. McArthur,	
Mr. Sayers,		

} Tellers.

Noes, 18.

Mr. Cowper,	Mr. Ryan,	
Mr. Robertson,	Mr. Atkinson,	
Mr. Weekes,	Mr. Dark,	
Mr. Hargrave,	Mr. Cummings,	
Mr. Close,	Mr. Laycock,	
Mr. Scott,	Mr. Handcock,	
Mr. Hurley,	Mr. Pemell,	
Mr. Flett,	Mr. Cribb,	
Mr. Macalister,	Mr. G. Lang,	

} Tellers.

\* So in Tellers' Lists.

The House adjourned at twenty minutes before Twelve o'clock, until Tuesday next, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, SEPTEMBER 20.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MORRIS to move for leave to bring in a Bill to amend and define the tenure constitution and duties of the office of Auditor General.
2. DR. LANG to move for leave to bring in a Bill to limit the duration of the present and of all future Legislative Assemblies of New South Wales, to three years.
3. MR. HODGSON to move,—
  - (1.) That a Select Committee—with liberty to send for persons and papers—be appointed to inquire into and report upon the claims of Mr. David Morris and others, who have been hitherto unable to obtain compensation for lands and tenements from which—on account of Railway purposes—they have been summarily ejected, at Honey-suckle Point, Newcastle.
  - (2.) That such Committee consist of Mr. Robertson, Mr. Hay, Mr. Flood, Mr. Jones, Mr. Close, Mr. Scott, Capt. Russell, Mr. Cape, and the Mover.
4. MR. DARVALL to move,—
  - (1.) That the proposed increase of Postage on Newspapers transmitted to and from the United Kingdom is inexpedient, and at variance with the understanding upon which the Mail Service has been subsidized, and ought not to be imposed without the concurrence of the Local Legislature.
  - (2.) That an Address be presented to the Governor General praying that His Excellency will be pleased to transmit a copy of the foregoing Resolution to Her Majesty's Principal Secretary of State for the Colonies.
5. MR. DARVALL to move, That the proposed separation of Moreton Bay from the Colony of New South Wales is premature and inexpedient,—
  - (1.) Because the power reserved to Her Majesty by the Constitution Act to alter the boundary of the Colony of New South Wales on the North, in such manner as to Her Majesty might seem fit, has not been invoked by the people of this Colony, nor by their representatives.
  - (2.) Because the assent of the Legislature of this Colony to the proposed separation has not been obtained, and it is manifestly harsh and inconsistent to split into fragments, without their own consent, a community possessing Responsible Government, and the absolute control over their local affairs.
  - (3.) Because the population of the proposed Colony of Queensland is so small and scattered as to be unable to discharge the duties of self-government economically or efficiently.
  - (4.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to transmit a copy of the foregoing Resolutions to Her Majesty's Principal Secretary of State for the Colonies.
6. MR. DARVALL to move, That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the Legislature of New South Wales,—
  - (1.) Because the Colony of New South Wales, as at present constituted, is entitled to the undivided Crown Lands, and to the Territorial Revenue of the Colony which is a portion of the security for the Public Debt and Civil List of the Colony; and no change in the position of the public creditor or debtor in reference to that security can lawfully be made without the concurrence of the Legislature who represent the latter, and are bound to protect the former.
  - (2.) Because the payment of the Debt and Civil List of the Colony, and the administration of the security on which they rest, are matters of local concern only, with which the Local Legislature alone can deal.
  - (3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a copy of the foregoing Resolutions to be transmitted to Her Majesty's Principal Secretary of State for the Colonies.
7. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Benches of Magistrates, the Sheriff of the Colony, and the Government, previous to or after the issuing of the Proclamation constituting a number of places as Goals, Prisons, and Houses of Correction, respecting the same; also, a list of all appointments made by the Sheriff, of Gaolers and other Officers, having legal charge of such new Goals, specifying the time at which such appointments were made.
8. MR. BROUGHTON to move,—
  - (1.) That a Select Committee be appointed to inquire into all matters connected with the Municipal Council of the City of Sydney, with power to send for persons and papers.
  - (2.) That such Committee consist of the following Members :—Dr. Lang, Mr. Robertson, Mr. Plunkett, Mr. Dalley, Mr. Martin, Mr. Jones, Mr. Flood, Mr. Black, and Mr. Rotton.
9. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Return of all proceedings in the case of Edward Lloyd Lewis of the Detective Police



Police of New South Wales, committed by the Court of Petty Sessions, Sydney, for Perjury, upon October 7, 1858, to the time of discharge of the aforesaid Edward Lloyd Lewis, in consequence of the Crown declining to prosecute.

(2.) Copies of all Correspondence between the Executive Government and any person or persons having reference to the case above specified.

(3.) A Return showing the number of days that elapsed from the time of committal above specified, to the time of discharge of the aforesaid Edward Lloyd Lewis; also, the number of times at which the case was postponed, and the reasons, if any, for such postponements.

(4.) A Return shewing the amount and specifying particulars of all expenses incurred by the Crown by the proceedings in the aforesaid case, to the time of discharge of the aforesaid Edward Lloyd Lewis.

10. MR. PARKES to move, That the Petition of John Malley, late Railway Surveyor to the Government, presented by him on the 16th instant, be printed.

11. MR. JONES to move,—

(1.) That the Newcastle Wallsend Coal Company's Incorporation Bill be referred for the consideration and report of a Select Committee.

(2.) That such Committee consist of Mr. Black, Mr. Jenkins, Mr. Close, Mr. Oakes, Mr. Lyons, and Mr. Wisdom.

12. MR. SCOTT to move, That this House, having had under consideration the Report brought up on the 16th instant, by the Committee of Elections and Qualifications, in relation to the Petition of certain Electors of New England against the election and return of James Hart, Esquire, as Member for the Electoral District of New England, resolves,—

(1.) That the Petition in this case not being subscribed by any person, either Elector or Candidate, as required by the Electoral Act of 1858, the Committee of Elections and Qualifications cannot deal with that Petition on its merits.

(2.) That the Resolution of the 13th instant, by which this House referred the said Petition to that Committee, be therefore now rescinded.

13. MR. JONES to move,—

(1.) That the Newcastle Wallsend Coal Company's Railway Bill be referred for the consideration and report of a Select Committee.

(2.) That such Committee consist of Mr. Elliott, Mr. Flood, Mr. Nott, Mr. Rotton, Mr. Close, and Mr. Jenkins.

14. MR. ROTTON to move, That there be laid upon the Table of this House, a Return shewing the cost to the Government,—

(1.) Of the Collection, Compilation, and Printing, of the Electoral Rolls in each Electoral District of the Colony, for the year 1859-60.

(2.) Of conducting the Election in each Electoral District during the last General Election.

15. MR. MACALISTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence between His Honor the Resident Judge at Moreton Bay, and the Law Officers of the Crown, regarding the working of the Moreton Bay Supreme Court Act.

16. MR. FORSTER to move for leave to introduce a Bill to alter and amend the Act of Council, 16 Vict., No. 33, intituled "The Police Regulation Act."

#### Questions :—

1. MR. HART to ask THE COLONIAL SECRETARY,—With reference to the papers relating to the Armidale Magistrates, laid upon the Table on the 9th April last,—

(1.) If the Honorable the Chief Secretary did not, upon receipt of the letter, dated 19th January, 1859, from those Magistrates, make a Minute thereon directing that a *superseedeas* should issue against them?

(2.) At whose suggestion, or for what reason was that direction not carried out?

(3.) Have the Magistrates who signed this letter, since the date thereof, returned to their Bench duties? If not, is it the intention of the Government to remove them, and appoint others in their stead?

(4.) Is it in contemplation by the Government to issue a new General Commission of the Peace? If so, when?

2. MR. ROTTON to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—When it is intended to carry out the Works for the protection from floods of the Denison Bridge, over the Macquarie River, at Bathurst, for which the money was voted by the last Parliament?

3. MR. JONES to ask THE COLONIAL SECRETARY,—Whether the Government intend to ask the Legislature, this Session, to make any provision towards establishing Telegraphic Communication between the Australian Colonies and the United Kingdom; or to submit any other proposition in reference to this subject; and if so, when the views of the Government are likely to be placed before this House?

4. MR. ROTTON to ask THE COLONIAL SECRETARY,—If he has any objection to state to this Honorable House when he intends to introduce the Bill, alluded to in His Excellency the Governor General's Speech, for altering the Constitution of the Legislative Council, which His Excellency remarks "is evidently of pressing importance;" and when it is intended that Bill shall come into operation?

5. MR. MURRAY to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether the Government has any intention of constructing a bridge over the creek passing through the town of Bungonia?

6. MR. MACALISTER to ask THE ATTORNEY GENERAL,—What are the duties of the Registrar of the Supreme Court at Moreton Bay; and whether, at the time of the appointment of Mr. Frederick Orme Darvall to that office, the Government had any knowledge of his qualifications to discharge the duties of the office; and, if so, what were those qualifications?
7. MR. ROBERTS to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether it is the intention of the Government to take any, and what steps for placing at the disposal of the various Corporations called into existence under the Municipalities Act, any reserves or waste lands of the Crown, situate within the limits of those Corporations, but more particularly of the Goulburn Corporation; and, if so, when?
8. MR. FORSTER to ask THE COLONIAL SECRETARY,—Is it intended by the Government in carrying out the proposed division of the Department of Lands and Works, to abolish or incorporate with any other office, the office of Chief Commissioner of Railways?
9. MR. HAY to ask THE COLONIAL SECRETARY,—Whether it be the fact that the Chief Justice has applied for leave of absence in consequence of the state of his health; and if so, whether the Government will not take the necessary steps to bring the claim before the Legislature?
10. MR. HAY to ask THE COLONIAL SECRETARY,—Do the Government propose to apply the principle of the Superannuation Act to the case of the late Criminal Crown Solicitor, removed from office after long and meritorious service, in consequence of changes in the organization of the Law Department?
11. MR. HAY to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
  - (1.) Have the Government received any report from District Surveyor Adams, with respect to the Billabong Dams?
  - (2.) Do the Government intend to bring in a Bill for regulating the construction of Dams on the Billabong Creek?

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WEDNESDAY, SEPTEMBER 21.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. HARGRAVE to move for leave to bring in a Bill to facilitate the Transfer of Land.
2. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
3. MR. COWPER to move, That, with a view to the more effectual administration of the Ministerial Departments, the Department of Secretary for Lands and Public Works be divided, and that a new Department be created to be called the Department of Public Works.

ORDER OF THE DAY :—

1. Sydney Necropolis Act Repeal Bill; second reading.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. RICHARDSON to move, That an Address be presented to the Governor General, praying 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 Colonial Secretary, and the Commandant of the Native Police, relative to certain charges preferred by H. C. Corfield, Esq., against the latter gentleman.

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THURSDAY, SEPTEMBER 22.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move for leave to bring in a Bill to promote Public Education.
2. MR. HARGRAVE to move for leave to bring in a Bill to amend the District Courts Act.

ORDER OF THE DAY :—

1. Semi-Circular Quay Tramroad Bill; second reading.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. CLARK IRVING to move, That an Address be presented to His Excellency the Governor General, setting forth :—
  - (1.) That by reason of the great cost in conveying timber to the coast, or rivers, or roads, which is cut in those districts of this Colony where the most valuable descriptions of native woods are found, the imposition of the License Fee for permission to cut timber falls heavily upon the sawyers.
  - (2.) That the exportation of timber, ocean-wise, to this Colony, by the United States, Norway, Sweden, Germany, Great Britain and other Countries, is carried out to an extent which may be averaged at about £400,000 per annum; whilst the cost of carriage is far less than that which is incurred in conveying timber cut in this Colony, a very few miles to the nearest way of transmission, either by land or water, to the nearest local markets.
  - (3.) That in addition to the quantity of cut timber annually exported to this Colony by the United States, large amounts of turnery and woodware are exported to this Colony from the State Prisons of America, being the manufacture of convicts; and that such turnery and woodware are not allowed to be offered for sale in the United States, a competition there between free and prison labor being forbidden; but that these wares are exported to those Countries, where they are admitted duty free.

(4.)

(4.) That, whether as regards the impossibility of competing with the exporters of foreign-cut timber, which enters our ports free of duty, or with the manufactured wood-ware from the American prisons, the licensed sawyers in this Colony are placed in a most unfavourable position; and this House, therefore, prays that His Excellency will be pleased to direct that a Bill be prepared, enacting, that the Licensing Fee for cutting timber in this Colony be abolished; or, that His Excellency will direct a Bill to be prepared, imposing such a duty upon imported timber, turnery, and woodware, as may enable the industry of this Colony to compete, fairly, with that of foreigners.

FRIDAY, SEPTEMBER 23.

*Contingent Notice of Motion:—*

MR. JENKINS to move, by way of Amendment on Mr. Jones' motion, No. 8, That the following words be added at the end thereof:—"Also, a copy of the Regulations lately rescinded by Proclamation in the *Government Gazette*, under which Convicts were induced to petition the Executive for a mitigation of their Sentences."

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Copy of the Warehouse Keeper's List of Deficiencies lately discovered in the Bonded Warehouses in Sydney.
  - (2.) Copy of the Collector's Report on these Deficiencies.
  - (3.) Copy of Correspondence between the Collector and any Bonded Warehouse Keeper, as to Deficiencies in Teas imported in 1856.
  - (4.) Copies of Documents shewing the alterations which were made in the weights of the Teas after landing.
  - (5.) The amount of Duty paid in 1856, on Teas imported by the ship "Hirondelle" in that year.
  - (6.) The date when the Duty on the Teas per "Hirondelle" were paid.
2. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all cases in which the Attorney General has declined to prosecute within the last three years; shewing the dates on which the depositions were received in the Attorney General's Office; the dates on which the determination not to prosecute had been arrived at; and the dates of the discharge of the accused out of custody in consequence of such determination.
3. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) Copies of any further Correspondence and Documents, since the 29th December, 1858, relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
  - (2.) A statement of the amount due at the present date by the City Corporation for interest on the Sewerage Debentures.
4. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between Mr. Cary (the District Judge) and the Government; and also all other letters and papers, including the Minutes of the Executive Council, respecting the removal of Mr. Meymott from the office of Crown Prosecutor.
5. MR. CAPE to move, That in consequence of the announcement of the Honorable Premier in this Assembly, on the 10th instant, that the only regulations in existence for testing, according to fixed rules, the qualifications of candidates for employment in the Civil Service, are the regulations of 1837, based on the Elementary Education of that period, it is the opinion of this House, that the Colonial Government should, as far as practicable, adopt, without further delay, the regulations, for this purpose, that have been in operation during the past four years throughout the Public Departments of the Imperial Government.
6. MR. CAPE to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Estimates of Expenditure for 1860, a sum of money, in order to furnish such public crossing-places as are subject to disastrous floods, with the usual appliances for the preservation of life and recovery from drowning.
7. MR. MURRAY to move,—
  - (1.) That a Select Committee be appointed to inquire into and report upon the so-called Church and School Lands of this Colony.
  - (2.) That such Committee consist of Mr. Clements, Mr. Rotton, Mr. Wilson, Mr. Nott, Mr. Egan, Mr. Flood, Mr. Black, Mr. Parkes, Mr. Morris, and the Mover.
8. MR. JONES to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid on the Table of this House, Copies of all Petitions presented by James Hibburd, a convict sentenced to ten years hard labour on the roads or other public works, and said to have been prematurely released from Cockatoo Island in June, 1853, praying for remission of sentence; of all applications presented to the Convict Classification Board, or to the Government, on behalf of the said Hibburd; of all correspondence between the Convict Classification Board and the Government, and between the Colonial Secretary or any other Member of the Government, and His

His Honor the Chief Justice in reference to the case of Hibburd; of all Minutes of Proceedings (if any) of the Executive Council in reference to this case; and of the letter conveying the decision of the Executive Government in reference to the remission of Hibburd's sentence; together with a statement showing how this decision was carried out.

9. MR. CLEMENTS to move, That there be laid on the Table of this House, a Return, shewing the total amount of Revenue that has been obtained from the sale of public lands, from the first establishment of Responsible Government, to June 30th, 1859; distinguishing, as nearly as can be done—the number of acres sold—the average value of the land—and the total amount realized, in the Western, Northern, and Southern Districts, respectively.
10. MR. FORSTER to move,—
  - (1.) That a Select Committee, with power to send for persons and papers, be appointed to consider and report upon the case of Charles Wentworth Bucknell, as set forth in a Petition of the same, received by the Legislative Assembly upon September 30, 1858; and that such inquiry and report extend to the alleged employment of Detectives by the Police Authorities of this Colony in the discovery of real or supposed offences.
  - (2.) That such Committee consist of Mr. Macleay, Mr. Parkes, Mr. Black, Mr. Dark, Mr. Flood, Mr. Egan, Mr. Douglas, Mr. Asher, and Mr. Clements.

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TUESDAY, SEPTEMBER 27.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MURRAY to move for leave to bring in a Bill to abolish the Law of Primogeniture in New South Wales.
2. MR. MURRAY to move for leave to bring in a Bill to abolish Capital Punishment in this Colony.
3. MR. MORRIS to move for leave to bring in a Bill to provide for the preparation, audit, and presentation to Parliament of Annual Accounts of the Receipt and Expenditure of the Public Revenues; and to define the tenure, constitution, and duties of the office of Auditor General.
4. MR. FLOOD to move, That there be laid on the Table of this House,—
  - (1.) A Return of all sums of money voted by this House for Public Works or Buildings (not Railways) for the years 1857 and 1858.
  - (2.) A Return of all Works or Buildings which have been constructed agreeably to the votes taken for the above period.
  - (3.) The amount of every Tender for Works or Buildings so constructed, and the actual amount expended upon each service.
  - (4.) The amount (if any) of any outstanding claims upon the Government for Works or Buildings executed during these years.
  - (5.) A Return shewing the manner in which the sums of £6,000 and £10,000 respectively voted in 1857 and 1858 for repairs, alterations, and additions to Public Buildings have been appropriated, giving amount expended upon each separate Building, Work, or general repair.
5. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, Copies of the Depositions in the case of one Mrs. Williamson and her Son, tried at Parramatta, on the 17th May last, before H. Cary, Esq., District Court Judge; also the Depositions in the case of one Mrs. Peckman, tried at the same place, and at the same Sessions; together with all Correspondence and Memoranda between the Attorney General and Mr. Mcymott, the Crown Prosecutor, with reference to placing those persons on their trial.
6. MR. MORT to move for leave to bring in a Bill to extend the duration of the Act known as "The Lien on Wool Act."

Question :—

1. MR. HART to ask THE ATTORNEY GENERAL :—
  - (1.) Is it his intention to take any Criminal proceedings against Mr. W. R. Bligh, late Clerk of Petty Sessions at Armidale, upon the charges of malversation of office and extortion, set forth in the Report of Mr. E. D. Day, dated 9th February, 1859?
  - (2.) Has Mr. Bligh rendered his accounts as Clerk of Petty Sessions to the Government, and paid over all moneys received by him?

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WEDNESDAY, SEPTEMBER 28.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Judges' Pensions Bill; second reading.

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THURSDAY, SEPTEMBER 29.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Bayley's motion, "That the New Trial " Motion Bill be now read a second time."

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THURSDAY,

FRIDAY, SEPTEMBER 30.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. PARKES to move, That a Select Committee be appointed to take evidence and report upon the social condition of the working classes of this Metropolis, more especially in respect to the four following heads of inquiry :—
  - (1.) The number of mechanics and labourers respectively, who may be wholly or partially out of employment, the period during which such want of employment has been experienced, and the alleged causes thereof.
  - (2.) The course of wages in different trades and callings during the period of the last two years, and the rates obtained at the present time.
  - (3.) The class of house accommodation in its moral and sanitary relations, and the number of freehold dwellings occupied by working mechanics and labourers.
  - (4.) The existence and extent of juvenile vagrancy in the public streets, classifying, as far as may be practicable, any such returns, as to age, sex, parentage, religion, education, and place of birth.
 That such Committee consist of Mr. Plunkett, Mr. Flood, Mr. Byrnes, Mr. Hay, Mr. Loder, Dr. Lang, Mr. Lyons, Mr. Windeyer, Mr. Pemell, and the Mover.

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THURSDAY, OCTOBER 13.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Public Worship Bill; second reading.

DANIEL COOPER,  
*Speaker.*

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No. 12.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

TUESDAY, 20 SEPTEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Members Sworn :—  
(1.) Thomas Laidlaw, Esquire, having taken the Oath and subscribed the Roll, took his Seat on his re-election as Member for Yass Plains.  
(2.) James Dickson, Esquire, having taken the Oath and subscribed the Roll, took his Seat as Member for the Electoral District of East Maitland, in room of Joseph Chambers, Esquire, who vacated his Seat by acceptance of Office.
2. Papers :—Mr. Cowper laid upon the Table the undermentioned Papers :—  
(1.) Return to the Order, in reference to the Annual Expenditure of the Civil Service from 1850 to 1858, made by this House, on motion of Mr. Parkes, on the 28th May, 1858.  
(2.) Despatch, dated 14th July, 1859, respecting the erection of the Australian Station into a separate Naval Command.  
Ordered to be printed.
3. Postponement :—Mr. Darvall amended and postponed the motions standing in his name fifth and sixth on the Notice Paper for to-day, until next Friday week.
4. Appointment and Removal of Teachers :—Mr. Jones presented a Petition from certain Teachers, praying that in event of change in existing Educational arrangements, provision be made that Teachers be appointed by the Central Board only, and retain office during good behaviour.  
Petition received.
5. Paper :—Mr. Hargrave laid upon the Table a Rule of Court, promulgated by His Honor the Resident Judge at Moreton Bay, on 19th August last.  
Ordered to be printed.
6. Motion withdrawn :—Mr. Morris withdrew the motion standing in his name first on the Notice Paper for to-day.
7. Duration of Legislative Assemblies Limitation Bill :—The Rev. Dr. Lang moved, pursuant to notice, for leave to bring in a Bill to limit the duration of the present, and of all future Legislative Assemblies of New South Wales, to three years.  
Question put and passed; *Ordered* that the Mover and Seconder prepare and bring in the Bill.
8. Mr. David Morris :—Mr. Hodgson moved, pursuant to *amended* notice,—  
(1.) That a Select Committee—with liberty to send for persons and papers—be appointed to inquire into and report upon the claims of Mr. David Morris and others, who have been hitherto unable to obtain compensation for lands and tenements from which—on account of Railway purposes—they have been summarily ejected, at Honeysuckle Point, Newcastle.  
(2.) That such Committee consist of Mr. Robertson, Mr. Hay, Mr. Flood, Mr. Close, Mr. Loder, Capt. Russell, Mr. Cape, and the Mover.  
Debate ensued.  
Question put.  
The House divided.

Ayes, 32.

Mr. Cowper.	Mr. Cooper,
Mr. Robertson,	Mr. Jamison,
Mr. Weekes,	Mr. Close.
Mr. Hargrave,	Mr. Dickson.
Mr. McArthur.	Mr. Richardson,
Mr. Black,	Mr. Murray,
Mr. Byrnes,	Mr. Hodgson,
Mr. Rotton,	Mr. Flett,
Mr. Hart,	Mr. Pemell,
Mr. Gray,	Mr. G. Lang,
Mr. Lyons,	Mr. Macalister,
Mr. Wilson,	Mr. Onkes,
Mr. Sayers,	Mr. Cribb,
Mr. Hieronimus,	Rev. Dr. Lang,
Mr. Cummings,	Mr. Loder,
Mr. Broughton,	Mr. Scott.

} Tellers.

Noes, 25.

Mr. Walsh,	Mr. Hodgecock,
Mr. Darvall,	Mr. Russell,
Mr. Mort,	Mr. Samuel,
Mr. Hay,	Mr. Jenkins,
Mr. Hamilton,	Mr. Roberts,
Mr. Watt,	Mr. Forster,
Mr. Cape,	Mr. Macphillamy,
Mr. Piddington,	Mr. Plunkett,
Mr. Parkes,	Mr. Campbell,
Mr. Morris,	Mr. Wisdom,
Mr. Asher,	Mr. Nott,
Mr. Laidlaw,	Mr. Clements.
Mr. Douglas,	

} Tellers.

9. **Legislative Assemblies Duration Limitation Bill**:—Dr. Lang having *presented* this Bill, Bill intituled "*A Bill to limit the duration of the present, and of all future Legislative Assemblies of New South Wales, to three years,*" read a first time; ordered to be printed, and read a second time this day week.
10. **Proposed Increased Postage on Newspapers**:—Mr. Darrall moved, pursuant to notice,—
  - (1.) That the proposed increase of Postage on Newspapers transmitted to and from the United Kingdom is inexpedient; and at variance with the understanding upon which the Mail Service has been subsidized, and ought not to be imposed without the concurrence of the Local Legislature.
  - (2.) That an Address be presented to the Governor General praying that His Excellency will be pleased to transmit a copy of the foregoing Resolution to Her Majesty's Principal Secretary of State for the Colonies.
 Debate ensued.  
 Question put and passed.
11. **Proclamation Establishing Gaols, Prisons, and Houses of Correction**:—Mr. Plunkett moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Benchs of Magistrates, the Sheriff of the Colony, and the Government, previous to or after the issuing of the Proclamation constituting a number of places as Gaols, Prisons, and Houses of Correction, respecting the same; also, a list of all appointments made by the Sheriff, of Gaolers and other Officers, having legal charge of such new Gaols, specifying the time at which such appointments were made.  
 Question put and passed.
12. **Working of Sydney Municipal Council**:—Mr. Broughton moved, pursuant to *amended* notice,—
  - (1.) That a Select Committee be appointed to inquire into and report upon the working of the Municipal Council of the City of Sydney, with special reference to the present position of the Sewerage and Water debt, and the claim of the Corporation for additional endowment,—with power to send for persons and papers.
  - (2.) That such Committee consist of the following Members:—Dr. Lang, Mr. Robertson, Mr. Plunkett, Mr. Dalley, Mr. Martin, Mr. Parkes, Mr. Flood, Mr. Black, and Mr. Rotton.
 Debate ensued,—  
 And Mr. Jenkins requiring that the proposed Committee be appointed by Ballot,—  
 Debate continued.  
 Question,—That a Select Committee be appointed to inquire into and report upon the working of the Municipal Council of the City of Sydney, with special reference to the present position of the Sewerage and Water debt; and the claim of the Corporation for additional endowment,—with power to send for persons and papers,—put and passed,—  
 Whereupon the House proceeded to the Ballot, and the Speaker declared the following Members to be, with the Mover, the Committee duly appointed, viz.:—Mr. Black, Mr. Rotton, Mr. Flood, Mr. Arnold, Mr. Dalley, Mr. Parkes, Mr. Jenkins, Mr. Jones, and Mr. Forster.
13. **Case of Edward Lloyd Lewis**:—Mr. Forster moved, pursuant to notice, That an Address be presented to the Governor General; praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Return of all proceedings in the case of Edward Lloyd Lewis of the Detective Police of New South Wales, committed by the Court of Petty Sessions, Sydney, for Perjury, upon October 7, 1858, to the time of discharge of the aforesaid Edward Lloyd Lewis, in consequence of the Crown declining to prosecute.
  - (2.) Copies of all Correspondence between the Executive Government and any person or persons having reference to the case above specified.
  - (3.) A Return shewing the number of days that elapsed from the time of committal above specified, to the time of discharge of the aforesaid Edward Lloyd Lewis; also, the number of times at which the case was postponed, and the reasons, if any, for such postponements.
  - (4.) A Return shewing the amount and specifying particulars of all expenses incurred by the Crown by the proceedings in the aforesaid case, to the time of discharge of the aforesaid Edward Lloyd Lewis.
 Question put and passed.
14. **Paper**:—Mr. Robertson laid upon the Table, Return to the Address, in reference to Tenders or applications for Leases of, or Licenses to occupy, Crown Lands, adopted, on motion of Mr. Forster, on the 18th May, 1858.  
 Ordered to be printed.
15. **Mr. John Malley**:—Mr. Parkes moved, pursuant to notice, That the Petition of John Malley, late Railway Surveyor to the Government, presented by him on the 16th instant, be printed.  
 Question put and passed.  
 Ordered to be printed.
16. **Newcastle Wallsend Coal Company's Incorporation Bill**:—Mr. Jones moved; pursuant to notice,—
  - (1.) That the Newcastle Wallsend Coal Company's Incorporation Bill be referred for the consideration and report of a Select Committee.
  - (2.)



- (2.) That such Committee consist of Mr. Black, Mr. Jenkins, Mr. Close, Mr. Oakes, Mr. Lyons, and Mr. Wisdom.  
 Question—That the Newcastle Wallsend Coal Company's Incorporation Bill be referred for the consideration and report of a Select Committee,—put and passed.  
 Question—That such Committee consist of Mr. Black, Mr. Jenkins, Mr. Close, Mr. Oakes, Mr. Lyons, and Mr. Wisdom,—put and passed.
17. Committee of Elections and Qualifications:—Mr. Scott moved, pursuant to notice, That this House, having had under consideration the Report brought up on the 16th instant, by the Committee of Elections and Qualifications, in relation to the Petition of certain Electors of New England against the election and return of James Hart, Esquire, as Member for the Electoral District of New England, resolves,—  
 (1.) That the Petition in this case not being subscribed by any person, either Elector or Candidate, as required by the Electoral Act of 1858, the Committee of Elections and Qualifications cannot deal with that Petition on its merits.  
 (2.) That the Resolution of the 13th instant, by which this House referred the said Petition to that Committee, be therefore now rescinded.  
 Mr. Forster moved, That the Question be amended by the omission of section (2.)  
 Debate ensued.  
 Question,—That section (2.) proposed to be omitted, stand part of the Question—put and passed;—  
 Whereupon Original Question put and passed.
18. Newcastle Wallsend Coal Company's Railway Bill:—Mr. Jones moved, pursuant to amended notice,—  
 (1.) That the Newcastle Wallsend Coal Company's Railway Bill be referred for the consideration and report of a Select Committee.  
 (2.) That such Committee consist of Mr. Elliott, Mr. Flood, Mr. Nott, Mr. Rotton, Mr. Close, Mr. Jenkins, and Mr. Robertson.  
 Question—That the Newcastle Wallsend Coal Company's Railway Bill be referred for the consideration and report of a Select Committee,—put and passed.  
 Question—That such Committee consist of Mr. Elliott, Mr. Flood, Mr. Nott, Mr. Rotton, Mr. Close, Mr. Jenkins, and Mr. Robertson,—put and passed.
19. Cost of Electoral Rolls and of Elections for 1859-60:—Mr. Rotton moved, pursuant to amended notice, That there be laid upon the Table of this House, a Return shewing the cost to the Government,—  
 (1.) Of the Collection, Compilation, and Printing, of the Electoral Rolls in each Electoral District of the Colony, for the year 1859-60.  
 (2.) Of conducting the Election in each Electoral District during the last General Election.  
 (3.) Shewing the number of Electors on the Roll for each District, and the charge authorized by the Government for a Copy of the Roll.  
 Debate ensued.  
 Question put and passed.
20. Working of the Moreton Bay Supreme Court Act:—Mr. Macalister moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence between His Honor the Resident Judge at Moreton Bay, and the Law Officers of the Crown, regarding the working of the Moreton Bay Supreme Court Act.  
 Debate ensued.  
 Question put and passed.
21. Postponement:—Mr. Forster postponed the motion standing in his name sixteenth on the Notice Paper for to-day, until this day week.  
 The House adjourned at half-past Nine o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, SEPTEMBER 21.

### GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. HARGRAVE to move for leave to bring in a Bill to facilitate the Transfer of Land.
2. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
3. MR. COWPER to move, That, with a view to the more effectual administration of the Ministerial Departments, the Department of Secretary for Lands and Public Works be divided, and that a new Department be created to be called the Department of Public Works.

### ORDER OF THE DAY:—

1. Sydney Necropolis Act Repeal Bill; second reading.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. RICHARDSON to move, That an Address be presented to the Governor General, praying 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 Colonial Secretary, and the Commandant of the Native Police, relative to certain charges preferred by H. C. Corfield, Esq., against the latter gentleman.

2. MR. JONES to move, That the Petition of certain Teachers, presented by him on the 20th instant, be printed.

*Questions :—*

1. MR. PARKES to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—When the Abbatoirs at Glebe Island are likely to be completed and in use, and what steps are intended to be taken for the erection of a Bridge, or to afford other adequate means of communication from Pymont to Glebe Island, in connection with the said Abbatoirs?
2. MR. PARKES to ask THE COLONIAL SECRETARY,—In reference to the vote come to by a majority of nine on the motion of Mr. Martin on Friday last, affirming that certain Proclamations of the Governor General of July 11, were not calculated to carry out the intention of the Legislature, and ought to be reconsidered—whether it is the intention of the Government to submit to this House any motion for rescinding such vote; and, if not so, what other steps are contemplated in the matter?
3. MR. PIDDINGTON to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—When the Address to His Excellency the Governor General, agreed to December 2nd, 1857, praying for a "Return of all the Crown Lands under lease or license beyond the Settled Districts," will be complied with?
4. MR. WALSH to ask THE COLONIAL SECRETARY,—Have the Government taken any steps for supplying the Leichhardt District with a necessary and its fair share of Immigration—and if they are aware that there is ample accommodation belonging to the Government at Rockhampton for the reception of such Immigrants?
5. MR. LODER to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether any Tender has been accepted for the erection of a Bridge over the River Peel, at Tamworth; and if not, why not?
6. MR. LODER to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether the Government contemplate making any additions to the Court House and Lock-up to be erected at Tamworth, to meet the requirements of the District Courts held there?
7. MR. DOUGLAS to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether he has at any time been recommended by the Government Resident at Moreton Bay to place a sum on the Estimates for the construction of a Bridge over Lockyer's Creek, on the road between Ipswich and Drayton?
8. MR. HODGSON to ask THE COLONIAL TREASURER,—
  - (1.) Whether it is the intention of the Government to charge full Pilotage dues upon all vessels entering this Port owing to stress of weather, or in search of a Pilot for a neighbouring Port on the Coast within the Colony, but without any intention of breaking bulk?
  - (2.) Whether it has been brought under the notice of the Government that the ship "Cornubia," bound for Newcastle, anchored in this Harbour under the above circumstances on or about the 5th instant, and was charged with full Pilotage dues—8d. per ton—although no pilotage assistance was offered to her upon entering the Port, and not until after she had anchored?
9. MR. HODGSON to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether there is any intention on the part of the Government to take any action in the matter of the Petition of Messrs. James and Alexander Brown, presented by him to this House on the 1st instant; if so, when and how?
10. MR. HODGSON to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—When it will be convenient for the Government to lay on the Table of this House the following Returns, moved for by Mr. Williamson on 25th March last,—
  - (1.) A Return shewing what amount of public money has been expended on the present uncompleted continuation of the Railway between the present Terminus of Cleveland and that originally contemplated at Pymont—whether in the cost of work thereon or in the acquisition of land for the continued Line and intended Terminus—and if the purchase money of any such land has been reduced in consideration of the estimated improvement in value to be conferred on adjacent property by the proposed works—specifying the amount of any such reduction?
  - (2.) Copies of any petitions or other applications to the Government, urging completion of the continued line to Pymont and Terminus, and of any answers thereto?

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THURSDAY, SEPTEMBER 22.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move for leave to bring in a Bill to promote Public Education.
2. MR. HARGRAVE to move for leave to bring in a Bill to amend the District Courts Act.

ORDER OF THE DAY :—

1. Semi-Circular Quay Tramroad Bill; second reading.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. CLARK IRVING to move, That an Address be presented to His Excellency the Governor General, setting forth :—
  - (1.) That by reason of the great cost in conveying timber to the coast, or rivers, or roads, which is cut in those districts of this Colony where the most valuable descriptions of native woods are found, the imposition of the License fee for permission to cut timber falls heavily upon the sawyers.

(2.) That the exportation of timber, ocean-wise, to this Colony, by the United States, Norway, Sweden, Germany, Great Britain and other Countries, is carried out to an extent which may be averaged at about £400,000 per annum; whilst the cost of carriage is far less than that which is incurred in conveying timber cut in this Colony, a very few miles to the nearest way of transmission, either by land or water, to the nearest local markets.

(3.) That in addition to the quantity of cut timber annually exported to this Colony by the United States, large amounts of turnery and woodware are exported to this Colony from the State Prisons of America, being the manufacture of convicts; and that such turnery and woodware are not allowed to be offered for sale in the United States, a competition there between free and prison labor being forbidden; but that these wares are exported to those Countries, where they are admitted duty free.

(4.) That, whether as regards the impossibility of competing with the exporters of foreign-cut timber, which enters our ports free of duty, or with the manufactured woodwares from the American prisons, the licensed sawyers in this Colony are placed in a most unfavourable position; and this House, therefore, prays that His Excellency will be pleased to direct that a Bill be prepared, enacting, that the Licensing Fee for cutting timber in this Colony be abolished; or, that His Excellency will direct a Bill to be prepared, imposing such a duty upon imported timber, turnery, and woodware, as may enable the industry of this Colony to compete, fairly, with that of foreigners.

FRIDAY, SEPTEMBER 23.

*Contingent Notice of Motion:—*

MR. JENKINS to move, by way of Amendment on Mr. Jones' motion, No. 8, That the following words be added at the end thereof:—"Also, a copy of the Regulations lately rescinded by Proclamation in the *Government Gazette*, under which Convicts were induced to Petition the Executive for a mitigation of their Sentences."

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Copy of the Warehouse Keeper's List of Deficiencies lately discovered in the Bonded Warehouses in Sydney.
  - (2.) Copy of the Collector's Report on these Deficiencies.
  - (3.) Copy of Correspondence between the Collector and any Bonded Warehouse Keeper, as to Deficiencies in Teas imported in 1856.
  - (4.) Copies of Documents shewing the alterations which were made in the weights of the Teas after landing.
  - (5.) The amount of Duty paid in 1856, on Teas imported by the ship "Hirondelle" in that year.
  - (6.) The date when the Duty on the Teas per "Hirondelle" were paid.
2. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all cases in which the Attorney General has declined to prosecute within the last three years; shewing the dates on which the depositions were received in the Attorney General's Office; the dates on which the determination not to prosecute had been arrived at; and the dates of the discharge of the accused out of custody in consequence of such determination.
3. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) Copies of any further Correspondence and Documents, since the 20th December, 1853, relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
  - (2.) A statement of the amount due at the present date by the City Corporation for interest on the Sewerage Debentures.
4. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between Mr. Cary (the District Judge) and the Government; and also all other letters and papers, including the Minutes of the Executive Council, respecting the removal of Mr. Meymott from the office of Crown Prosecutor.
5. MR. CAPE to move, That in consequence of the announcement of the Honorable Premier in this Assembly, on the 10th instant, that the only regulations in existence for testing, according to fixed rules, the qualifications of candidates for employment in the Civil Service, are the regulations of 1837, based on the Elementary Education of that period, it is the opinion of this House, that the Colonial Government should, as far as practicable, adopt, without further delay, the regulations, for this purpose, that have been in operation during the past four years throughout the Public Departments of the Imperial Government.
6. MR. CAPE to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Estimates of Expenditure for 1860, a sum of money, in order to furnish such public crossing-places as are subject to disastrous floods, with the usual appliances for the preservation of life and recovery from drowning.

7. **MR. MURRAY** to move,—  
 (1.) That a Select Committee be appointed to inquire into and report upon the so-called Church and School Lands of this Colony.  
 (2.) That such Committee consist of Mr. Clements, Mr. Rotton, Mr. Wilson, Mr. Nott, Mr. Egan, Mr. Flood, Mr. Black, Mr. Parkes, Mr. Morris, and the Mover.
8. **MR. JONES** to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid on the Table of this House, Copies of all Petitions presented by James Hibburt, a convict sentenced to ten years hard labour on the roads or other public works, and said to have been prematurely released from Cockatoo Island in June, 1858, praying for remission of sentence; of all applications presented to the Convict Classification Board, or to the Government, on behalf of the said Hibburt; of all correspondence between the Convict Classification Board and the Government, and between the Colonial Secretary or any other Member of the Government, and His Honor the Chief Justice in reference to the case of Hibburt; of all Minutes of Proceedings (if any) of the Executive Council in reference to this case; and of the letter conveying the decision of the Executive Government in reference to the remission of Hibburt's sentence; together with a statement showing how this decision was carried out.
9. **MR. CLEMENTS** to move, That there be laid on the Table of this House, a Return, shewing the total amount of Revenue that has been obtained from the sale of public lands, from the first establishment of Responsible Government, to June 30th, 1859; distinguishing, as nearly as can be done—the number of acres sold—the average value of the land—and the total amount realized, in the Western, Northern, and Southern Districts, respectively.
10. **MR. FORSTER** to move,—  
 (1.) That a Select Committee, with power to send for persons and papers, be appointed to consider and report upon the case of Charles Wentworth Bucknell, as set forth in a Petition of the same, received by the Legislative Assembly upon September 30, 1858; and that such inquiry and report extend to the alleged employment of Detectives by the Police Authorities of this Colony in the discovery of real or supposed offences.  
 (2.) That such Committee consist of Mr. Macleay, Mr. Parkes, Mr. Black, Mr. Dark, Mr. Flood, Mr. Egan, Mr. Douglas, Mr. Asher, and Mr. Clements.
11. **MR. PARKES** to move, That there be laid upon the Table of this House, a Return shewing the following particulars:—  
 (1.) The number of Members of the present Assembly who are pastoral tenants of the Crown.  
 (2.) The number of runs, and the extent of each, held by each Member.  
 (3.) The number of years the runs have been occupied, and the right of occupancy unexpired in each case.  
 (4.) The amount of rent and of assessment paid by each Member.  
 (5.) The quantity of stock depastured on each run, where it can be ascertained.  
 (6.) The extent to which the pre-emptive right of purchase has been exercised in each case.  
 (7.) The situation of the run, the character of the soil, whether or not it is suitable for the ordinary purposes of agricultural settlement, and its contiguity to water communication; in each case where such information can be obtained from the Survey Office.
12. **MR. WILSON** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of any Petition received by the Government regarding the so-called Church and School Lands, in the District of Braidwood; also a copy of any correspondence that has passed between the Braidwood Bench of Magistrates, the Gold Fields' Commissioner, or any other parties and the Government, concerning said Lands.
13. **MR. HAY** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence which has taken place with the Government, in connection with an application of the Chief Justice for leave of absence.

#### TUESDAY, SEPTEMBER 27.

##### OTHER BUSINESS—NOTICES OF MOTION:—

1. **MR. MURRAY** to move for leave to bring in a Bill to abolish the Law of Primogeniture in New South Wales.
2. **MR. MURRAY** to move for leave to bring in a Bill to abolish Capital Punishment in this Colony.
3. **MR. MORRIS** to move for leave to bring in a Bill to provide for the preparation, audit, and presentation to Parliament of Annual Accounts of the Receipt and Expenditure of the Public Revenues; and to define the tenure, constitution, and duties of the office of Auditor General.
4. **MR. FLOOD** to move, That there be laid on the Table of this House,—  
 (1.) A Return of all sums of money voted by this House for Public Works or Buildings (not Railways) for the years 1857 and 1858.  
 (2.) A Return of all Works or Buildings which have been constructed agreeably to the votes taken for the above period.  
 (3.) The amount of every Tender for Works or Buildings so constructed, and the actual amount expended upon each service.

(4.)

- (4.) The amount (if any) of any outstanding claims upon the Government for Works or Buildings executed during these years.
- (5.) A Return shewing the manner in which the sums of £6,000 and £10,000 respectively voted in 1857 and 1858 for repairs, alterations, and additions to Public Buildings have been appropriated, giving amount expended upon each separate Building, Work, or general repair.
5. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, Copies of the Depositions in the case of one Mrs. Williamson and her Son, tried at Parramatta, on the 17th May last; before H. Cary, Esq., District Court Judge; also the Depositions in the case of one Mrs. Peckman, tried at the same place, and at the same Sessions; together with all Correspondence and Memoranda between the Attorney General and Mr. Meymott, the Crown Prosecutor, with reference to placing those persons on their trial.
6. MR. MORT to move for leave to bring in a Bill to extend the duration of the Act known as "The Lion on Wool Act."
7. MR. SAMUEL to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return, shewing the expenditure of Fifty Thousand Pounds, voted in the year 1855, for Railway Surveys; together with a Return of any other sums expended since that time to the present date for the same purpose; specifying the amounts expended on each line for preliminary and working surveys respectively.
8. MR. FORSTER to move for leave to introduce a Bill to alter and amend the Act of Council, 16 Vict., No. 33, intituled "The Police Regulation Act."

ORDER OF THE DAY:—

1. Duration of Legislative Assemblies Limitation Bill; second reading.

Question:—

1. MR. HART to ask THE ATTORNEY GENERAL:—
- (1.) Is it his intention to take any Criminal proceedings against Mr. W. R. Bligh, late Clerk of Petty Sessions at Armidale, upon the charges of malversation of office and extortion, set forth in the Report of Mr. E. D. Day, dated 9th February, 1859?
- (2.) Has Mr. Bligh rendered his accounts as Clerk of Petty Sessions to the Government, and paid over all moneys received by him?

WEDNESDAY, SEPTEMBER 28.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Judges' Pensions Bill; second reading.

THURSDAY, SEPTEMBER 29.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Resumption of the adjourned Debate on Mr. Bayley's motion, "That the New Trial " Motion Bill be now read a second time."

FRIDAY, SEPTEMBER 30.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PARKES to move,—
1. That a Select Committee be appointed to take evidence and report upon the social condition of the working classes of this Metropolis, more especially in respect to the four following heads of inquiry:—
- (1.) The number of mechanics and labourers respectively, who may be wholly or partially out of employment, the period during which such want of employment has been experienced, and the alleged causes thereof.
- (2.) The course of wages in different trades and callings during the period of the last two years, and the rates obtained at the present time.
- (3.) The class of house accommodation in its moral and sanitary relations, and the number of freehold dwellings occupied by working mechanics and labourers.
- (4.) The existence and extent of juvenile vagrancy in the public streets, classifying, as far as may be practicable, any such returns, as to age, sex, parentage, religion, education, and place of birth.
2. That such Committee consist of Mr. Plunkett, Mr. Flood, Mr. Byrnes, Mr. Hay, Mr. Loder, Dr. Lang, Mr. Lyons, Mr. Windeyer, Mr. Pemell, and the Mover.
2. MR. DARVALL to move, That the proposed separation of Moreton Bay from the Colony of New South Wales is premature and inexpedient,—
- (1.) Because the power reserved to Her Majesty by the Constitution Act to alter the boundary of the Colony of New South Wales on the North, in such manner as to Her Majesty might seem fit, has not been generally invoked by the people of this Colony, nor by their representatives.
- (2.) Because the assent of the Legislature of this Colony to the proposed separation has not been obtained, and it is manifestly harsh and inconsistent to split into fragments, without their own consent, a community possessing Responsible Government, and the absolute control over their local affairs.

(3.) Because the population of the proposed Colony of Queensland is so small and scattered as to be unable to discharge the duties of self-government economically or efficiently.

(4.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to transmit a copy of the foregoing Resolutions to Her Majesty's Principal Secretary of State for the Colonies.

3. MR. DARVALL to move, That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the Legislature of New South Wales,—

(1.) Because the Colony of New South Wales, as at present constituted, is entitled to the undivided Crown Lands, and to the Territorial Revenue of the Colony which is a portion of the security for the Public Debt and Civil List of the Colony; and no change in the position of the public creditor or debtor in reference to that security can lawfully be made without the concurrence of the Legislature who represent the latter, and are bound to protect the former.

(2.) Because the payment of the Debt and Civil List of the Colony, and the administration of the security on which they rest, are matters of local concern only, with which the Local Legislature alone can deal.

(3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a copy of the foregoing Resolutions to be transmitted to Her Majesty's Principal Secretary of State for the Colonies.

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TUESDAY, OCTOBER 4.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the movements of Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.

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THURSDAY, OCTOBER 13.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Public Worship Bill; second reading.

DANIEL COOPER,  
*Speaker.*

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No. 13.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

WEDNESDAY, 21 SEPTEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Establishment of General Courts of Quarter Sessions:—The following Message from His Excellency the Governor General, received and read,—  
W. DENISON, *Message No. 1.*  
*Governor General.*  
The Governor General begs to inform the Assembly, in reply to their Address in reference to the establishment of General Courts of Quarter Sessions, that provision will be made in the Estimates for such sums as may be considered necessary for providing the additional accommodation required for carrying out the Criminal Jurisdiction of the District Courts' Act.  
*Government House,*  
*Sydney, 21 September, 1859.*
2. Committee of Elections and Qualifications:—Mr. Scott, as Chairman, brought up a Report from the Committee of Elections and Qualifications to the effect that the facts alleged in the Petition of Charles Kemp, of Sydney, against the election and return of Henry Parkes, Esquire, as one of the Members for East Sydney, admitting them to be capable of proof, do not vitiate the election of Mr. Parkes as one of the Members for East Sydney, but that the Petition is not frivolous or vexatious,—  
And the Report being read at length by the Clerk,—was  
Ordered to be printed.
3. Railway Fares:—Mr. Black presented a Petition from John Williams, Chairman of a Public Meeting of certain of the Inhabitants of Sydney and its neighbourhood, praying the establishment of the Scale of Railway Fares therein set out.  
Petition received.
4. Papers:—  
(1.) Mr. Robertson, in answer to a Question put to him by Mr. Piddington, laid upon the Table, Return to the Address, in reference to Crown Lands under Lease or License beyond the Settled Districts, adopted, on motion of Mr. Piddington, on 2nd December, 1857.  
Ordered to be printed.  
(2.) Mr. Robertson, in answer to a Question put to him by Mr. Hodgson, laid upon the Table, Return to the Order, in reference to Expenditure upon Railway between the Terminus at Cleveland and that at Pymont, made by the House, on motion of Mr. Williamson, on 25th March last.  
Ordered to be printed.
5. Shoalhaven Municipality:—Mr. Hay presented a Petition from Alexander Berry, of the North Shore, near Sydney, Esquire, praying the House to adopt such measures in relation to the proposed Municipality at Shoalhaven, as may ensure justice and right to Petitioner.  
Petition received.
6. State Aid to Religion:—Mr. Murray presented a Petition from certain Inhabitants of the District of Braidwood, including the Gold Fields, against the withdrawal of State Aid to Chaplains at the Gold Fields.  
Petition received.
7. Transfer of Land Facilitation Bill:—Mr. Hargrave moved, pursuant to notice, for leave to bring in a Bill to facilitate the Transfer of Land.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
8. Paper:—Mr. Cowper laid upon the Table, Return, in part, to the Order, in reference to Moreton Bay Statistics, made by this House, on motion of Mr. Mort, on the 9th instant.  
Ordered to be printed.
9. Postponement:—Mr. Robertson postponed the motion standing in his name second on the Notice Paper for to-day, until Wednesday next.

10. **New Arrangement of Ministerial Departments:**—Mr. Cowper moved, pursuant to notice, That, with a view to the more effectual administration of the Ministerial "Departments," the Department of Secretary for Lands and Public Works be divided, and that a new Department be created, to be called the Department of Public Works. Mr. Forster moved that the Question be amended by the insertion, after the word "Departments," of the words "the Resolutions of the Legislative Assembly of December 17, 1858, recommending the separation of the Duties of Crown Law Officers from those of Cabinet Ministers, which were further partly embodied in the Resolutions of the Legislative Assembly of February 23, 1859, be carried into effect with as little delay as possible, by the appointment of a responsible Minister of Justice, to preside over all matters relating to Law, Justice, Police, and Public Order."
- "(2.) That with a further view to the same object"
- Debate ensued.
- Proposed Amendment by leave withdrawn;—
- Whereupon Original Question put and passed.
11. **Postponement:**—The second reading of the Sydney Necropolis Act Repeal Bill postponed, on motion of Mr. Robertson, until this day week.
12. **Charges against Commandant of Native Police:**—Mr. Richardson moved, pursuant to notice, That an Address be presented to the Governor General, praying 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 Colonial Secretary, and the Commandant of the Native Police, relative to certain charges preferred by H. C. Corfield, Esq., against the latter gentleman.
- Question put and passed.
13. **Appointment and Removal of Teachers:**—Mr. Jones moved, pursuant to notice, That the Petition of certain Teachers, presented by him on the 20th instant, be printed.
- Question put and passed.
- Ordered to be printed.
- The House adjourned at seventeen minutes after Eight o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, SEPTEMBER 22.

### GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. COWPER to move for leave to bring in a Bill to promote Public Education.
2. MR. HARGRAVE to move for leave to bring in a Bill to amend the District Courts Act.

### ORDER OF THE DAY:—

1. Semi-Circular Quay Tramroad Bill; second reading.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. CLARK IRVING to move, That an Address be presented to His Excellency the Governor General, setting forth:—
  - (1.) That by reason of the great cost in conveying timber to the coast, or rivers, or roads, which is cut in those districts of this Colony where the most valuable descriptions of native woods are found, the imposition of the License Fee for permission to cut timber falls heavily upon the sawyers.
  - (2.) That the exportation of timber, ocean-wise, to this Colony, by the United States, Norway, Sweden, Germany, Great Britain and other Countries, is carried out to an extent which may be averaged at about £400,000 per annum; whilst the cost of carriage is far less than that which is incurred in conveying timber cut in this Colony, a very few miles to the nearest way of transmission, either by land or water, to the nearest local markets.
  - (3.) That in addition to the quantity of cut timber annually exported to this Colony by the United States, large amounts of turnery and woodware are exported to this Colony from the State Prisons of America, being the manufacture of convicts; and that such turnery and woodware are not allowed to be offered for sale in the United States, a competition there between free and prison labor being forbidden; but that these wares are exported to those Countries, where they are admitted duty free.
  - (4.) That, whether as regards the impossibility of competing with the exporters of foreign-cut timber, which enters our ports free of duty, or with the manufactured woodwares from the American prisons, the licensed sawyers in this Colony are placed in a most unfavourable position; and this House, therefore, prays that His Excellency will be pleased to direct that a Bill be prepared, enacting, that the Licensing Fee for cutting timber in this Colony be abolished; or, that His Excellency will direct a Bill to be prepared, imposing such a duty upon imported timber, turnery, and woodware, as may enable the industry of this Colony to compete, fairly, with that of foreigners.
2. MR. MURRAY to move, That the Petition from the Braidwood Gold Fields, relative to the proposed withdrawal of State Aid to Religion, presented by him on the 21st instant, be printed.
3. MR. BLACK to move, That there be laid upon the Table of this House, a Return shewing all sums paid by Mr. Clark Irving, for Licenses as well as Assessments, for the year 1859.

Questions:—



*Questions :—*

1. MR. BLACK to ask THE COLONIAL SECRETARY,—Whether any steps have been taken, or are in contemplation, for introducing into this Country the Post Office Money Order system, which has for some time been in such beneficial operation in the Mother Country?
2. MR. MARTIN to ask THE COLONIAL SECRETARY,—
  - (1.) Whether within the last two years, and if so, when, Mr. Clark Irving, the holder of extensive stations on the Richmond and Clarence Rivers, has been allowed to exercise his pre-emptive right to purchase unusually large portions of such stations?
  - (2.) The quantity, locality, and price of such pre-emptive purchases, and how the valuation was arrived at?
3. MR. HART to ask THE SOLICITOR GENERAL,—If it is his intention to bring in a Bill to amend the present Acts for the Registration of Deeds?
4. MR. LODER to ask THE COLONIAL SECRETARY,—What are the specific duties of the Commandant of the Northern Patrol, (Captain Scott), and the several Troopers under his control?

FRIDAY, SEPTEMBER 23.

*Contingent Notice of Motion :—*

MR. JENKINS to move, by way of Amendment on Mr. Jones' motion, No. 8, That the following words be added at the end thereof:—"Also, a copy of the Regulations lately rescinded by Proclamation in the *Government Gazette*, under which Convicts were induced to Petition the Executive for a mitigation of their Sentences."

*OTHER BUSINESS—NOTICES OF MOTION :—*

1. MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Copy of the Warehouse Keeper's List of Deficiencies lately discovered in the Bonded Warehouses in Sydney.
  - (2.) Copy of the Collector's Report on these Deficiencies.
  - (3.) Copy of Correspondence between the Collector and any Bonded Warehouse Keeper, as to Deficiencies in Teas imported in 1856.
  - (4.) Copies of Documents shewing the alterations which were made in the weights of the Teas after landing.
  - (5.) The amount of Duty paid in 1856, on Teas imported by the ship "Hirondelle" in that year.
  - (6.) The date when the Duty on the Teas per "Hirondelle" were paid.
2. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all cases in which the Attorney General has declined to prosecute within the last three years; shewing the dates on which the depositions were received in the Attorney General's Office; the dates on which the determination not to prosecute had been arrived at; and the dates of the discharge of the accused out of custody in consequence of such determination.
3. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) Copies of any further Correspondence and Documents, since the 29th December, 1856, relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
  - (2.) A statement of the amount due at the present date by the City Corporation for interest on the Sewerage Debentures.
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7. MR. MURRAY to move,—
  - (1.) That a Select Committee be appointed to inquire into and report upon the so-called Church and School Lands of this Colony.
  - (2.) That such Committee consist of Mr. Clements, Mr. Rotton, Mr. Wilson, Mr. Nott, Mr. Egan, Mr. Flood, Mr. Black, Mr. Parkes, Mr. Morris, and the Mover.

8. MR. JONES to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid on the Table of this House, Copies of all Petitions presented by James Hibburd, a convict sentenced to ten years hard labour on the roads or other public works, and said to have been prematurely released from Cockatoo Island in June, 1858, praying for remission of sentence; of all applications presented to the Convict Classification Board, or to the Government, on behalf of the said Hibburd; of all correspondence between the Convict Classification Board and the Government, and between the Colonial Secretary or any other Member of the Government, and His Honor the Chief Justice in reference to the case of Hibburd; of all Minutes of Proceedings (if any) of the Executive Council in reference to this case; and of the letter conveying the decision of the Executive Government in reference to the remission of Hibburd's sentence; together with a statement shewing how this decision was carried out.
9. MR. CLEMENTS to move, That there be laid on the Table of this House, a Return, shewing the total amount of Revenue that has been obtained from the sale of public lands, from the first establishment of Responsible Government, to June 30th, 1859; distinguishing, as nearly as can be done—the number of acres sold—the average value of the land—and the total amount realized, in the Western, Northern, and Southern Districts, respectively.
10. MR. FORSTER to move,—
  - (1.) That a Select Committee, with power to send for persons and papers, be appointed to consider and report upon the case of Charles Wentworth Bucknell, as set forth in a Petition of the same, received by the Legislative Assembly upon September 30, 1858; and that such inquiry and report extend to the alleged employment of Detectives by the Police Authorities of this Colony in the discovery of real or supposed offences.
  - (2.) That such Committee consist of Mr. Macleay, Mr. Parkes, Mr. Black, Mr. Dark, Mr. Flood, Mr. Egan, Mr. Douglas, Mr. Asher, and Mr. Clements.
11. MR. PARKES to move, That there be laid upon the Table of this House, a Return shewing the following particulars:—
  - (1.) The number of Members of the present Assembly who are pastoral tenants of the Crown.
  - (2.) The number of runs, and the extent of each, held by each Member.
  - (3.) The number of years the runs have been occupied, and the right of occupancy unexpired in each case.
  - (4.) The amount of rent and of assessment paid by each Member.
  - (5.) The quantity of stock depastured on each run, where it can be ascertained.
  - (6.) The extent to which the pre-emptive right of purchase has been exercised in each case.
  - (7.) The situation of the run, the character of the soil, whether or not it is suitable for the ordinary purposes of agricultural settlement, and its contiguity to water communication; in each case where such information can be obtained from the Survey Office.
12. MR. WILSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of any Petition received by the Government regarding the so-called Church and School Lands, in the District of Braidwood; also a copy of any correspondence that has passed between the Braidwood Bench of Magistrates, the Gold Fields' Commissioner, or any other parties and the Government, concerning said Lands.
13. MR. HAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence which has taken place with the Government, in connection with an application of the Chief Justice for leave of absence.
14. MR. CLOSE to move, That there be laid upon the Table of this House, a Return, shewing separately the amount of Duties collected at Newcastle and Morpeth, respectively, from 1st January to 31st December, 1858, and from 1st January to 30th June, 1859.
15. MR. HAY to move, That the Petition of Alexander Berry, presented by him on the 21st instant, be printed.

*Question:—*

1. DR. LANG to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether the Government intend to appropriate for the erection of any public building, or to any other public purpose, the Old Burying Ground, in George-street, Sydney?

TUESDAY, SEPTEMBER 27.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MURRAY to move for leave to bring in a Bill to abolish the Law of Primogeniture in New South Wales.
2. MR. MURRAY to move for leave to bring in a Bill to abolish Capital Punishment in this Colony.
3. MR. MORRIS to move for leave to bring in a Bill to provide for the preparation, audit, and presentation to Parliament of Annual Accounts of the Receipt and Expenditure of the Public Revenues; and to define the tenure, constitution, and duties of the office of Auditor General.
4. MR. FLOOD to move, That there be laid on the Table of this House,—
  - (1.) A Return of all sums of money voted by this House for Public Works or Buildings (not Railways) for the years 1857 and 1858.
  - (2.) A Return of all Works or Buildings which have been constructed agreeably to the votes taken for the above period.

(3.)

- (3.) The amount of every Tender for Works or Buildings so constructed, and the actual amount expended upon each service.
- (4.) The amount (if any) of any outstanding claims upon the Government for Works or Buildings executed during these years.
- (5.) A Return showing the manner in which the sums of £8,000 and £10,000 respectively voted in 1857 and 1858 for repairs, alterations, and additions to Public Buildings have been appropriated, giving amount expended upon each separate Building, Work, or general repair.
5. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions in the case of one Mrs. Williamson and her Son, tried at Parramatta, on the 17th May last, before H. Cary, Esq., District Court Judge; also the Depositions in the case of one Mrs. Peckman, tried at the same place, and at the same Sessions; together with all Correspondence and Memoranda between the Attorney General and Mr. Meymott, the Crown Prosecutor, with reference to placing those persons on their trial.
6. MR. MOAT to move for leave to bring in a Bill to extend the duration of the Act known as "The Lien on Wool Act."
7. MR. SAMUEL to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return, shewing the expenditure of Fifty Thousand Pounds, voted in the year 1855, for Railway Surveys; together with a Return of any other sums expended since that time to the present date for the same purpose, specifying the amounts expended on each line for preliminary and working surveys respectively.
8. MR. FORSTER to move for leave to introduce a Bill to alter and amend the Act of Council, 16 Vict., No. 33, intituled "The Police Regulation Act."
9. MR. WALSH to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence which has taken place between the late Government Surgeon of Gladstone and the Government, relative to the payment of his salary—the appointment he held; and of any other correspondence which they have bearing upon the subject.
10. MR. HODGSON to move, That there be laid upon the Table of this House, a statement of all moneys collected in the Port of Newcastle, for Tonnage, Pilotage, and Harbour Dues, from January 1st, 1858, up to the present time.

ORDER OF THE DAY :—

1. Duration of Legislative Assemblies Limitation Bill; second reading.

Question :—

1. MR. HART to ask THE ATTORNEY GENERAL :—
- (1.) Is it his intention to take any Criminal proceedings against Mr. W. R. Bligh, late Clerk of Petty Sessions at Armidale, upon the charges of malversation of office and extortion, set forth in the Report of Mr. E. D. Day, dated 9th February, 1859?
- (2.) Has Mr. Bligh rendered his accounts as Clerk of Petty Sessions to the Government, and paid over all moneys received by him?

WEDNESDAY, SEPTEMBER 28.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

ORDERS OF THE DAY :—

1. Judges' Pensions Bill; second reading.
2. Sydney Necropolis Act Repeal Bill; second reading.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. CLARK IRVING to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to His Excellency the Governor General, setting forth,—
- (1.) That His Excellency will be pleased to direct that a Marine Surveyor shall be appointed to proceed to the Clarence and Richmond Rivers, for the purpose of reporting upon any impediments to the Navigation of those waters by vessels of larger tonnage than are usually engaged for bar-harbours on our Coasts, and the probable cost of their removal.
- (2.) That, according to the Report of Commander Yule, R.N., on the south side of the entrance to the Clarence River, (which is the deepest,) there are ten feet at low water, and within the entrance the depth is from two to four fathoms, where there is good anchorage inside the bar, in a channel near the south shore; that the width of this channel might be considerably widened by the removal of a small rocky ledge which lies along it, and is a serious impediment to its navigation; that even now, vessels drawing as much as fourteen feet may enter, whilst fifty miles up the Clarence River vessels of large tonnage may be repaired,—means of heaving down, artificers, and stores, being available; that the great increase of population in the Clarence District, and its immense agricultural and pastoral capacities, require that the full means of navigating its noble river should be afforded.

(3.) That the Richmond River being entered over a shifting bar, requires that any additional impediments to its safe entry should be removed; and it has been reported to the Government that by the reckless discharge of ballast at its *embouchure*, by Masters of coasting vessels, the natural obstacles of shifting sands have been considerably aggravated.

(4.) That His Excellency will therefore be pleased to place upon the Estimates of Expenditure a sufficient sum for defraying the cost of such a survey as may apprise the Government of the best mode of improving the entrances to both Rivers.

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THURSDAY, SEPTEMBER 29.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Bayley's motion, "That the New Trial " Motion Bill be now read a second time."

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FRIDAY, SEPTEMBER 30.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move,—
  1. That a Select Committee be appointed to take evidence and report upon the social condition of the working classes of this Metropolis, more especially in respect to the four following heads of inquiry :—
    - (1.) The number of mechanics and labourers respectively, who may be wholly or partially out of employment, the period during which such want of employment has been experienced, and the alleged causes thereof.
    - (2.) The course of wages in different trades and callings during the period of the last two years, and the rates obtained at the present time.
    - (3.) The class of house accommodation in its moral and sanitary relations, and the number of freehold dwellings occupied by working mechanics and labourers.
    - (4.) The existence and extent of juvenile vagrancy in the public streets, classifying, as far as may be practicable, any such returns, as to age, sex, parentage, religion, education, and place of birth.
  2. That such Committee consist of Mr. Plunkett, Mr. Flood, Mr. Byrnes, Mr. Hay, Mr. Loder, Dr. Lang, Mr. Lyons, Mr. Windeyer, Mr. Pemell, and the Mover.
2. MR. DARVALL to move, That the proposed separation of Moreton Bay from the Colony of New South Wales is premature and inexpedient,—
  - (1.) Because the power reserved to Her Majesty by the Constitution Act to alter the boundary of the Colony of New South Wales on the North, in such manner as to Her Majesty might seem fit, has not been generally invoked by the people of this Colony, nor by their representatives.
  - (2.) Because the assent of the Legislature of this Colony to the proposed separation has not been obtained, and it is manifestly harsh and inconsistent to split into fragments, without their own consent, a community possessing Responsible Government, and the absolute control over their local affairs.
  - (3.) Because the population of the proposed Colony of Queensland is so small and scattered as to be unable to discharge the duties of self-government economically or efficiently.
  - (4.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to transmit a copy of the foregoing Resolutions to Her Majesty's Principal Secretary of State for the Colonies.
3. MR. DARVALL to move, That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the Legislature of New South Wales,—
  - (1.) Because the Colony of New South Wales, as at present constituted, is entitled to the undivided Crown Lands, and to the Territorial Revenue of the Colony which is a portion of the security for the Public Debt and Civil List of the Colony; and no change in the position of the public creditor or debtor in reference to that security can lawfully be made without the concurrence of the Legislature who represent the latter, and are bound to protect the former.
  - (2.) Because the payment of the Debt and Civil List of the Colony, and the administration of the security on which they rest, are matters of local concern only, with which the Local Legislature alone can deal.
  - (3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a copy of the foregoing Resolutions to be transmitted to Her Majesty's Principal Secretary of State for the Colonies.

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TUESDAY, OCTOBER 4.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.

(2.)

(2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.

(3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.

(4.) That any opinion herein expressed is not intended to apply to the movements of Her Majesty's ships of war in the Australian waters.

(5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.

FRIDAY, OCTOBER 7.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. MARTIN to move the following Resolutions,—

(1.) That the chief advantage which Governments are able to afford is a pure and efficient administration of justice.

(2.) That such purity and efficiency cannot be reasonably expected where the higher appointments connected with such administration are conferred upon persons, not with reference to their fitness, but for the purpose of promoting the party views of the Government appointing them.

(3.) That, in several instances of late, appointments have been so made, and under circumstances such as to justify the most serious apprehension of danger to the public interests.

(4.) That the conduct of His Excellency's present Advisers in recommending such appointments, and otherwise in reference to the administration of justice, has been such as to call for the marked condemnation of this House.

(5.) That an Address, embodying the foregoing Resolutions, be presented to His Excellency the Governor General.

THURSDAY, OCTOBER 13.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Public Worship Bill; second reading.

DANIEL COOPER,  
*Speaker.*



No. 14.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

THURSDAY, 22 SEPTEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Pitt-street Tramway Bill :—Mr. Robertson presented a Petition from certain Proprietors of Property, Householders, and others residing in Pitt-street and adjoining streets, praying that this Bill may pass into law.  
Petition received.
2. Standing Orders :—Mr. Cowper, on behalf of the Chairman, brought up from the Standing Orders Committee a Report, with the Draft Standing Orders prepared by that Committee, pursuant to an instruction referred to them on the 1st instant.  
Ordered to be printed, and considered in Committee of the whole on Tuesday next.
3. Paper :—Mr. Cowper laid upon the Table further Despatches relative to Steam Postal Services.  
Ordered to be printed.
4. Attendance of Member of Legislative Council :—Mr. Cowper moved, That the following Message be carried to the Legislative Council :—  
MR. PRESIDENT,  
The Legislative Assembly having appointed a Select Committee to inquire into and report what changes can be made in the respective Departments of the Government, with a view to promoting their efficiency, and, at the same time, reducing their cost to the public, with power to send for persons and papers, and that Committee being desirous to examine the Honorable Jacob L. Montefiore, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.  
*Legislative Assembly Chamber,* *Speaker.*  
*Sydney, 22 September, 1859.*  
Question put and passed.
5. Public Education Bill :—Mr. Cowper moved, pursuant to notice, for leave to bring in a Bill to promote Public Education.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
6. District Courts Act Amendment Bill :—Mr. Hargrave moved, pursuant to notice, for leave to bring in a Bill to amend the District Courts Act.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
7. Postponement :—The second reading of the Pitt-street Tramway Bill (heretofore called Semi-Circular Quay Tramroad Bill) postponed, on motion of Mr. Robertson, until this day week.
8. License Fee for Cutting Timber :—Mr. Clark Irving moved, pursuant to amended notice, That an Address be presented to His Excellency the Governor General, setting forth,—That by reason of the great cost in conveying timber to the coast, or rivers, or roads, which is cut in those districts of this Colony where the most valuable descriptions of native woods are found, the imposition of the License Fee for permission to cut timber falls heavily upon the sawyers, and ought therefore to be discontinued.  
Debate ensued.  
Mr. Hay moved the Previous Question.  
Debate continued.  
Previous Question by leave withdrawn.  
Original Question by leave withdrawn.

9. Attendance of Member of Legislative Council:—The Speaker reported that during the Debate of the Question last before the House, the following Message was received from the Legislative Council:—

MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated this day, requesting leave for the Honorable Jacob L. Montefiore, Esquire, Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly, appointed to inquire and report what changes can be made in the respective Departments of the Government, with a view to promoting their efficiency, and at the same time reducing their cost to the public, with power to send for persons and papers, the Council acquaints the Assembly that leave has been granted to its said Member to attend and be examined by the said Committee, if he think fit.

Legislative Council Chamber,  
Sydney, 22nd September, 1859.

W. W. BURTON,  
President.

10. Public Education Bill:—Mr. Cowper having presented this Bill, Bill intituled "A Bill to promote Public Education," read a first time; ordered to be printed, and read a second time on Wednesday, October 5.
11. State Aid to Religion:—Mr. Murray moved, pursuant to notice, That the Petition from the Braidwood Gold Fields, relative to the proposed withdrawal of State Aid to Religion, presented by him on the 21st instant, be printed.  
Question put and passed.  
Ordered to be printed.
12. Licenses and Assessment paid by Clark Irving, Esq.:—Mr. Black moved, pursuant to amended notice, That there be laid upon the Table of this House, a Return shewing all sums payable by Mr. Clark Irving, for Licenses as well as Assessments, in 1858 and 1859.  
Debate ensued.  
Question put and passed.

The House adjourned at ten minutes after Six o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, SEPTEMBER 23.

### Contingent Notice of Motion:—

MR. JENKINS to move, by way of Amendment on Mr. Jones' motion, No. 8, That the following words be added at the end thereof:—"Also, a copy of the Regulations lately rescinded by Proclamation in the *Government Gazette*, under which Convicts were induced to Petition the Executive for a mitigation of their Sentences."

### OTHER BUSINESS—NOTICES OF MOTION:—

- MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Copy of the Warehouse Keeper's List of Deficiencies lately discovered in the Bonded Warehouses in Sydney.
  - (2.) Copy of the Collector's Report on these Deficiencies.
  - (3.) Copy of Correspondence between the Collector and any Bonded Warehouse Keeper, as to Deficiencies in Teas imported in 1856.
  - (4.) Copies of Documents shewing the alterations which were made in the weights of the Teas after landing.
  - (5.) The amount of Duty paid in 1856, on Teas imported by the ship "Hirondelle" in that year.
  - (6.) The date when the Duty on the Teas per "Hirondelle" were paid.
- MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all cases in which the Attorney General has declined to prosecute within the last three years; shewing the dates on which the depositions were received in the Attorney General's Office; the dates on which the determination not to prosecute had been arrived at; and the dates of the discharge of the accused out of custody in consequence of such determination.
- MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) Copies of any further Correspondence and Documents, since the 29th December, 1858, relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
  - (2.) A statement of the amount due at the present date by the City Corporation for interest on the Sewerage Debentures.
- MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between Mr. Cary (the District Judge) and the Government; and also all other letters and papers, including the Minutes of the Executive Council, respecting the removal of Mr. Neymott from the office of Crown Prosecutor.



5. MR. CAPE to move, That in consequence of the announcement of the Honorable Premier in this Assembly, on the 10th instant, that the only regulations in existence for testing, according to fixed rules, the qualifications of candidates for employment in the Civil Service, are the regulations of 1837, based on the Elementary Education of that period, it is the opinion of this House, that the Colonial Government should, as far as practicable, adopt, without further delay, the regulations, for this purpose, that have been in operation during the past four years throughout the Public Departments of the Imperial Government.
6. MR. CAPE to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Estimates of Expenditure for 1860, a sum of money, in order to furnish such public crossing-places as are subject to disastrous floods, with the usual appliances for the preservation of life and recovery from drowning.
7. MR. MURRAY to move,—
  - (1.) That a Select Committee be appointed to inquire into and report upon the so-called Church and School Lands of this Colony.
  - (2.) That such Committee consist of Mr. Clements, Mr. Rotton, Mr. Wilson, Mr. Nott, Mr. Egan, Mr. Flood, Mr. Black, Mr. Parkes, Mr. Morris, and the Mover.
8. MR. JONES to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid on the Table of this House, Copies of all Petitions presented by James Hibburd, a convict sentenced to ten years hard labour on the roads or other public works, and said to have been prematurely released from Cockatoo Island in June, 1858, praying for remission of sentence; of all applications presented to the Convict Classification Board, or to the Government, on behalf of the said Hibburd; of all correspondence between the Convict Classification Board and the Government, and between the Colonial Secretary or any other Member of the Government, and His Honor the Chief Justice in reference to the case of Hibburd; of all Minutes of Proceedings (if any) of the Executive Council in reference to this case; and of the letter conveying the decision of the Executive Government in reference to the remission of Hibburd's sentence; together with a statement showing how this decision was carried out.
9. MR. CLEMENTS to move, That there be laid on the Table of this House, a Return, showing the total amount of Revenue that has been obtained from the sale of public lands, from the first establishment of Responsible Government, to June 30th, 1859; distinguishing, as nearly as can be done—the number of acres sold—the average value of the land—and the total amount realized, in the Western, Northern, and Southern Districts, respectively.
10. MR. FORSTER to move,—
  - (1.) That a Select Committee, with power to send for persons and papers, be appointed to consider and report upon the case of Charles Wentworth Bucknell, as set forth in a Petition of the same, received by the Legislative Assembly upon September 30, 1858; and that such inquiry and report extend to the alleged employment of Detectives by the Police Authorities of this Colony in the discovery of real or supposed offences.
  - (2.) That such Committee consist of Mr. Macleay, Mr. Parkes, Mr. Black, Mr. Dark, Mr. Flood, Mr. Egan, Mr. Douglas, Mr. Asher, and Mr. Clements.
11. MR. PARKES to move, That there be laid upon the Table of this House, a Return shewing the following particulars:—
  - (1.) The number of Members of the present Assembly who are pastoral tenants of the Crown.
  - (2.) The number of runs, and the extent of each, held by each Member.
  - (3.) The number of years the runs have been occupied, and the right of occupancy unexpired in each case.
  - (4.) The amount of rent and of assessment paid by each Member.
  - (5.) The quantity of stock depastured on each run, where it can be ascertained.
  - (6.) The extent to which the pre-emptive right of purchase has been exercised in each case.
  - (7.) The situation of the run, the character of the soil, whether or not it is suitable for the ordinary purposes of agricultural settlement, and its contiguity to water communication; in each case where such information can be obtained from the Survey Office.
12. MR. WILSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of any Petition received by the Government regarding the so-called Church and School Lands, in the District of Braidwood; also a copy of any correspondence that has passed between the Braidwood Bench of Magistrates, the Gold Fields' Commissioner, or any other parties and the Government, concerning said Lands.
13. MR. HAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence which has taken place with the Government, in connection with an application of the Chief Justice for leave of absence.
14. MR. CLOSE to move, That there be laid upon the Table of this House, a Return, shewing separately the amount of Duties collected at Newcastle and Morpeth, respectively, from 1st January to 31st December, 1858, and from 1st January to 30th June, 1859.
15. MR. HAY to move, That the Petition of Alexander Berry, presented by him on the 21st instant, be printed.
16. MR. ROBERTSON to move, That the Petition of certain Proprietors and Householders of Pitt-street, relative to the Pitt-street Tramway Bill, presented by him on the 22nd instant, be printed.

17. **MR. MARTIN** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) Copies of all Correspondence between the Government and Mr. Clark Irving, with reference to the exercise by that gentleman of his pre-emptive right to purchase any portion of the Waste Lands of the Crown.
  - (2.) Copies of all Correspondence between the Government and any of its officers, and of all instructions given by the Government to any of its officers on the same subject.
  - (3.) Copies of any Minutes of the Executive Council in reference to the same matter.
  - (4.) Copies of all reports in reference to the same matter.
  - (5.) Plans of all lands purchased by Mr. Clark Irving by the exercise of his pre-emptive right, shewing particularly the water frontage and distance from the sea.
18. **MR. JONES** to move, That there be laid on the Table of this House, a Return shewing,—
  - (1.) The names of all Clergymen receiving Stipends from the amount appropriated for Public Worship by Schedule C of the Constitution Act.
  - (2.) The amount payable to each of such Clergymen for the year 1859.
  - (3.) The date from which each such Clergyman has received a Stipend under Schedule C.
  - (4.) The date of arrival in the Colony of each such Clergyman; and
  - (5.) So far as may be practicable, and in a brief form, the circumstances under which each of such Clergymen first received his Stipend under the said Schedule.
19. **MR. PLUNKETT** to move, That the Petition of Samuel Olift, presented by him on the 15th instant, be printed.

**Questions :—**

1. **DR. LANG** to ask **THE SECRETARY FOR LANDS AND PUBLIC WORKS**,—Whether the Government intend to appropriate for the erection of any public building, or to any other public purpose, the Old Burying Ground, in George-street, Sydney?
2. **MR. HODGSON** to ask **THE COLONIAL TREASURER**,—Whether the Government have it in contemplation to erect a Light House on Port Stephens' Heads?
3. **MR. WISDOM** to ask **THE SECRETARY FOR LANDS AND PUBLIC WORKS**,—What arrangements have been made by the Government for the transmission to Sydney of Gold brought by escort from Timbarra to Grafton, and why the Gold so brought by escort to Grafton, on the 12th instant, was not forwarded as usual to Sydney by the steamer which left the former place on the 14th instant?

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**TUESDAY, SEPTEMBER 27.**

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. **MR. MURRAY** to move for leave to bring in a Bill to abolish the Law of Primogeniture in New South Wales.
2. **MR. MURRAY** to move for leave to bring in a Bill to abolish Capital Punishment in this Colony.
3. **MR. MORRIS** to move for leave to bring in a Bill to provide for the preparation, audit, and presentation to Parliament of Annual Accounts of the Receipt and Expenditure of the Public Revenues; and to define the tenure, constitution, and duties of the office of Auditor General.
4. **MR. FLOOD** to move, That there be laid on the Table of this House,—
  - (1.) A Return of all sums of money voted by this House for Public Works or Buildings (not Railways) for the years 1857 and 1858.
  - (2.) A Return of all Works or Buildings which have been constructed agreeably to the votes taken for the above period.
  - (3.) The amount of every Tender for Works or Buildings so constructed, and the actual amount expended upon each service.
  - (4.) The amount (if any) of any outstanding claims upon the Government for Works or Buildings executed during these years.
  - (5.) A Return shewing the manner in which the sums of £6,000 and £10,000 respectively voted in 1857 and 1858 for repairs, alterations, and additions to Public Buildings have been appropriated, giving amount expended upon each separate Building, Work, or general repair.
5. **MR. WINDEYER** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, Copies of the Depositions in the case of one Mrs. Williamson and her Son, tried at Parramatta, on the 17th May last, before H. Cary, Esq., District Court Judge; also the Depositions in the case of one Mrs. Peckman, tried at the same place, and at the same Sessions; together with all Correspondence and Memoranda between the Attorney General and Mr. Neymott, the Crown Prosecutor, with reference to placing those persons on their trial.
6. **MR. MORT** to move for leave to bring in a Bill to extend the duration of the Act known as "The Lien on Wool Act."
7. **MR. SAMUEL** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return, shewing the expenditure of Fifty Thousand Pounds, voted in the year 1855, for Railway Surveys; together with a Return of any other sums expended since that time to the present date for the same purpose, specifying the amounts expended on each line for preliminary and working surveys respectively.
8. **MR. FORSTER** to move for leave to introduce a Bill to alter and amend the Act of Council, 16 Vict., No. 33, intituled "The Police Regulation Act."

9. MR. WALSH to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence which has taken place between the late Government Surgeon of Gladstone and the Government, relative to the payment of his salary—the appointment he held; and of any other correspondence which they have bearing upon the subject.
10. MR. HODGSON to move, That there be laid upon the Table of this House, a statement of all moneys collected in the Port of Newcastle, for Tonnage, Pilotage, and Harbour Dues, from January 1st, 1858, up to the present time.
11. MR. ELIOTT to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Estimates for 1860, a sum not exceeding £250 for the conveyance of Immigrants to Maryborough.
12. MR. HODGSON to move, That there be laid on the Table of this House, a Return shewing the Salaries paid under the old arrangement in the Civil and Criminal Crown Solicitor's Office, and a Return of the Salaries paid, or proposed to be paid, since the amalgamation of the two offices.

ORDERS OF THE DAY:—

1. Duration of Legislative Assemblies Limitation Bill; second reading.
2. Standing Orders; to be considered in Committee.

Question:—

1. MR. HART to ask THE ATTORNEY GENERAL:—  
 (1.) Is it his intention to take any Criminal proceedings against Mr. W. R. Bligh, late Clerk of Petty Sessions at Armidale, upon the charges of malversation of office and extortion, set forth in the Report of Mr. E. D. Day, dated 9th February, 1859?  
 (2.) Has Mr. Bligh rendered his accounts as Clerk of Petty Sessions to the Government, and paid over all moneys received by him?

WEDNESDAY, SEPTEMBER 28.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. MR. ROBERTSON to move for leave to bring in a Bill for regulating the Sale of Crown Lands.
3. MR. ROBERTSON to move for leave to bring in a Bill for regulating the Occupation of Crown Lands.
4. MR. ROBERTSON to move for leave to bring in a Bill further to regulate and define the Occupancy of Lands held under Lease or promise of Lease from the Crown.

ORDERS OF THE DAY:—

1. Judges' Pensions Bill; second reading.
2. Sydney Necropolis Act Repeal Bill; second reading.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. CLARK IRVING to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to His Excellency the Governor General, setting forth,—  
 (1.) That His Excellency will be pleased to direct that a Marine Surveyor shall be appointed to proceed to the Clarence and Richmond Rivers, for the purpose of reporting upon any impediments to the Navigation of those waters by vessels of larger tonnage than are usually engaged for bar-harbours on our Coasts, and the probable cost of their removal.  
 (2.) That, according to the Report of Commander Yule, R.N., on the south side of the entrance to the Clarence River, (which is the deepest,) there are ten feet at low water, and within the entrance the depth is from two to four fathoms, where there is good anchorage inside the bar, in a channel near the south shore; that the width of this channel might be considerably widened by the removal of a small rocky ledge which lies along it, and is a serious impediment to its navigation; that even now, vessels drawing as much as fourteen feet may enter, whilst fifty miles up the Clarence River vessels of large tonnage may be repaired,—means of heaving down, artificers, and stores, being available; that the great increase of population in the Clarence District, and its immense agricultural and pastoral capacities, require that the full means of navigating its noble river should be afforded.  
 (3.) That the Richmond River being entered over a shifting bar, requires that any additional impediments to its safe entry should be removed; and it has been reported to the Government that by the reckless discharge of ballast at its *embouchure*, by Masters of coasting vessels, the natural obstacles of shifting sands have been considerably aggravated.  
 (4.) That His Excellency will therefore be pleased to place upon the Estimates of Expenditure a sufficient sum for defraying the cost of such a survey as may apprise the Government of the best mode of improving the entrances to both Rivers.

THURSDAY,

THURSDAY, SEPTEMBER 29.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Bayley's motion, "That the New Trial " Motion Bill be now read a second time."
2. Pitt-street Tramway Bill ; second reading.

FRIDAY, SEPTEMBER 30.

OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. PARKES to move,—
  1. That a Select Committee be appointed to take evidence and report upon the social condition of the working classes of this Metropolis, more especially in respect to the four following heads of inquiry :—
    - (1.) The number of mechanics and labourers respectively, who may be wholly or partially out of employment, the period during which such want of employment has been experienced, and the alleged causes thereof.
    - (2.) The course of wages in different trades and callings during the period of the last two years, and the rates obtained at the present time.
    - (3.) The class of house accommodation in its moral and sanitary relations, and the number of freehold dwellings occupied by working mechanics and labourers.
    - (4.) The existence and extent of juvenile vagrancy in the public streets, classifying, as far as may be practicable, any such returns, as to age, sex, parentage, religion, education, and place of birth.
  2. That such Committee consist of Mr. Flunkett, Mr. Flood, Mr. Byrnes, Mr. Hay, Mr. Loder, Dr. Lang, Mr. Lyons, Mr. Windeyer, Mr. Pemell, and the Mover.
2. Mr. DARVALL to move, That the proposed separation of Moreton Bay from the Colony of New South Wales is premature and inexpedient,—
  - (1.) Because the power reserved to Her Majesty by the Constitution Act to alter the boundary of the Colony of New South Wales on the North, in such manner as to Her Majesty might seem fit, has not been generally invoked by the people of this Colony, nor by their representatives.
  - (2.) Because the assent of the Legislature of this Colony to the proposed separation has not been obtained, and it is manifestly harsh and inconsistent to split into fragments, without their own consent, a community possessing Responsible Government, and the absolute control over their local affairs.
  - (3.) Because the population of the proposed Colony of Queensland is so small and scattered as to be unable to discharge the duties of self-government economically or efficiently.
  - (4.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to transmit a copy of the foregoing Resolutions to Her Majesty's Principal Secretary of State for the Colonies.
3. Mr. DARVALL to move, That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the Legislature of New South Wales,—
  - (1.) Because the Colony of New South Wales, as at present constituted, is entitled to the undivided Crown Lands, and to the Territorial Revenue of the Colony which is a portion of the security for the Public Debt and Civil List of the Colony ; and no change in the position of the public creditor or debtor in reference to that security can lawfully be made without the concurrence of the Legislature who represent the latter, and are bound to protect the former.
  - (2.) Because the payment of the Debt and Civil List of the Colony, and the administration of the security on which they rest, are matters of local concern only, with which the Local Legislature alone can deal.
  - (3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a copy of the foregoing Resolutions to be transmitted to Her Majesty's Principal Secretary of State for the Colonies.
4. Mr. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all persons sentenced to imprisonment or hard labour in this Colony during the last ten years, stating the circumstances under which they were convicted, the judgments awarded in each case, the names of those whose sentences have been since commuted, the nature and extent of such commutations, the Minutes of the Executive Council awarding them, and the names of the persons on whose recommendation, or at whose solicitation, such commutations were made.

TUESDAY, OCTOBER 4.

OTHER BUSINESS—NOTICE OF MOTION :—

1. Mr. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.

(2.)

(2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.

(3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.

(4.) That any opinion herein expressed is not intended to apply to the movements of Her Majesty's ships of war in the Australian waters.

(5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.

WEDNESDAY, OCTOBER 5.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Public Education Bill; second reading.

FRIDAY, OCTOBER 7.

OTHER BUSINESS—NOTICE OF MOTION:—

1. Mr. MARTIN to move the following Resolutions,—
  - (1.) That the chief advantage which Governments are able to afford is a pure and efficient administration of justice.
  - (2.) That such purity and efficiency cannot be reasonably expected where the higher appointments connected with such administration are conferred upon persons, not with reference to their fitness, but for the purpose of promoting the party views of the Government appointing them.
  - (3.) That, in several instances of late, appointments have been so made, and under circumstances such as to justify the most serious apprehension of danger to the public interests.
  - (4.) That the conduct of His Excellency's present Advisers in recommending such appointments, and otherwise in reference to the administration of justice, has been such as to call for the marked condemnation of this House.
  - (5.) That an Address, embodying the foregoing Resolutions, be presented to His Excellency the Governor General.

THURSDAY, OCTOBER 13.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Public Worship Bill; second reading.

DANIEL COOPER,  
*Speaker.*



No. 15.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

FRIDAY, 23 SEPTEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Election Petition :—Mr. Cowper, *by Command*, laid upon the Table a Petition from Thomas A. Perry, an Elector of the Electoral District of New England, against the election and return of James Hart, Esquire, as Member for the said Electoral District. Petition, on motion of Mr. Cowper, referred to the Committee of Elections and Qualifications.
2. Mount Keira Tramroad :—Mr. Garrett presented a Petition from Thomas William Jackson, one of the partners of the firm of Robson and Company, carrying on business as Coal Miners and Proprietors, at Wollongong, in the Colony of New South Wales, praying leave to introduce a Bill to authorise the completion of a Tramroad from the Mount Keira Coal Mines to Wollongong Harbour ;—  
And Mr. Garrett having produced the *Government Gazette*, the *Illawarra Mercury*, and the *Sydney Morning Herald* newspapers, containing Notice for four consecutive weeks, in the months of July and August last, of the intention to apply for such Bill,—  
Petition received.
3. Papers :—  
(1.) Mr. Hargrave laid upon the Table Return to the Address, in reference to the working of the Moreton Bay Supreme Court Act, adopted, on motion of Mr. Macalister, on the 20th instant.  
Ordered to be printed.  
(2.) Mr. Weekes laid upon the Table Return to the Order, in reference to Savings' Banks, made by this House, on motion of Mr. Cape, on the 13th instant.  
Ordered to be printed.
4. William Hunter :—Mr. Dalley presented a Petition from William Hunter, residing at Grafton Wharf, in the City of Sydney, complaining of his dismissal from the office of Assistant Light House Keeper at the new Light House on the Inner South Head, and praying redress.  
Petition received.
5. Question of Order :—The Revd. Dr. Lang giving notice of his intention to move certain Resolutions, by way of amendment upon the motion standing in the name of Mr. Parkes first on the Notice Paper for Tuesday, October 4,—  
And exception being taken, by Mr. Murray, to the length and argumentative character of the Notice, and especially to the suggestion for the Separation of this Colony from the Dominions of Her Majesty, contained in the seventh section thereof,—  
And Mr. Murray requiring that the Oath of Allegiance be read,—  
And the Clerk having, by direction of the Speaker, read the thirty-third section of the Constitution Act and the Oath of Allegiance therein prescribed to be taken by Members of this House,—  
And the Speaker stating that, in his opinion, there was nothing in the Notice in contravention of the Oath of Allegiance or of the Rules of this House,—  
The matter dropped.
6. Postponement :—Mr. Broughton postponed the motion standing in the name of Mr. Flood first on the Notice Paper for to-day, until Tuesday, October 4.
7. Cases in which the Attorney General and Crown Prosecutors declined to prosecute :—Mr. Murray moved, pursuant to amended notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all cases in which the Attorney General has declined to prosecute within the last three years; shewing the dates on which the depositions were received in the Attorney General's Office; the dates on which the determination not to prosecute had been arrived at; and the dates of the discharge of the accused out of custody in consequence of such determination; and also a similar Return from the Crown Prosecutors under the District Courts Act.  
Question put and passed.

8. Mr. James Bailey :—Mr. Hay presented a Petition from James Bailey, of Tamworth, in the Colony of New South Wales, gentleman, complaining of certain expenses he has been put to in consequence of his having depastured certain Cattle upon the Tamworth Town Reserve, on the faith of certain Government Regulations; and praying the appointment of a Select Committee to inquire into the matter.  
Petition received.
9. Loans to the Corporation of the City of Sydney :—Mr. Jenkins moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—  
(1.) Copies of any further Correspondence and Documents, since the 29th December, 1858, relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.  
(2.) A statement of the amount due at the present date by the City Corporation for interest on the Sewerage Debentures.  
Question put and passed.
10. Lieut. Scaver, R.N. :—Mr. Hay presented a Petition from Lieut. Charles Scaver, R.N. late Shipping Master and Assistant Harbour Master of the Port of Newcastle, praying the reconsideration of his case.  
Petition received.
11. Removal of Mr. Meymott from the office of Crown Prosecutor :—Mr. Plunkett moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between Mr. Cary (the District Judge) and the Government; and also all other letters and papers, including the Minutes of the Executive Council, respecting the removal of Mr. Meymott from the office of Crown Prosecutor.  
Question put and passed.
12. Examination of Candidates for Employment in the Civil Service :—Mr. Cape moved, pursuant to notice, That in consequence of the announcement of the Honorable Premier in this Assembly, on the 10th instant, that the only regulations in existence for testing, according to fixed rules, the qualifications of Candidates for employment in the Civil Service, are the regulations of 1837, based on the Elementary Education of that period, it is the opinion of this House, that the Colonial Government should, as far as practicable, adopt, without further delay, the regulations, for this purpose, that have been in operation during the past four years throughout the Public Departments of the Imperial Government.  
Debate ensued.  
Motion by leave withdrawn.
13. Motion withdrawn :—Mr. Cape withdrew the motion standing in his name sixth on the Notice Paper for to-day.
14. Church and School Lands :—Mr. Murray moved, pursuant to notice,—  
(1.) That a Select Committee be appointed to inquire into and report upon the so-called Church and School Lands of this Colony.  
(2.) That such Committee consist of Mr. Clements, Mr. Rotton, Mr. Wilson, Mr. Nott, Mr. Egan, Mr. Flood, Mr. Black, Mr. Parkes, Mr. Morris, and the Mover.  
Debate ensued.  
Question put and passed.
15. Case of James Hibburd :—Mr. Jones moved, pursuant to notice, "That" an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Petitions presented by James Hibburd; a convict sentenced to ten years hard labour on the roads or other public works, and said to have been prematurely released from Cockatoo Island in June, 1858, praying for remission of sentence; of all applications presented to the Convict Classification Board, or to the Government, on behalf of the said Hibburd; of all correspondence between the Convict Classification Board and the Government, and between the Colonial Secretary or any other Member of the Government, and His Honor the Chief Justice in reference to the case of Hibburd; of all Minutes of Proceedings (if any) of the Executive Council in reference to this case; and of the letter conveying the decision of the Executive Government in reference to the remission of Hibburd's sentence; together with a statement shewing how this decision was carried out.  
Debate ensued.  
Mr. Murray moved, That the Question be amended by the omission of all the words thereof, following the word "That" at the commencement, with a view to the insertion in their place of the words "the case of James Hibburd, a convict, sentenced to ten years hard labour on the roads or other public works, and said to have been prematurely released from Cockatoo Island in June, 1858, be referred to a Select Committee of this House, consisting of ten Members inclusive of the Mover, to be appointed by Ballot, with power to send for persons and papers."  
Debate continued.  
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 case of James Hibburd, a convict, sentenced to ten years hard labour on the roads or other public works, and said to have been prematurely released from Cockatoo Island in June, 1858, be referred to a Select Committee of this House,



House, consisting of ten Members inclusive of the Mover, to be appointed by Ballot, with power to send for persons and papers,—put and passed ;—  
Whereupon the House proceeded to the Ballot, and the Speaker declared the following Members to be, with the Mover, the Committee duly appointed, viz. :—Mr. Jones, Mr. Hay, Mr. Black, Mr. Dalley, Mr. Douglas, Revd. Dr. Lang, Mr. Plunkett, Mr. Forster, and Mr. Parkes.

16. Revenue from Land Sales since Establishment of Responsible Government :—Mr. Clements moved, pursuant to amended notice, That there be laid upon the Table of this House,—

(1.) A Return, shewing the total amount of Revenue that has been obtained from the sale of public lands, from the first establishment of Responsible Government, to June 30th, 1859; distinguishing, as nearly as can be done—the number of acres sold—the average value of the land—and the total amount realized, in the Western, Northern, and Southern Districts, respectively.

(2.) The number of acres sold, and amount derived from lands purchased under pre-emptive right, in the Intermediate and Unsettled Districts, respectively.

(3.) The number of lots and of acres offered for sale by auction and not sold during same period, and now open for selection at the upset price.

Question put and passed.

17. Case of Charles Wentworth Bucknell :—Mr. Forster moved, pursuant to notice,—

(1.) That a Select Committee, with power to send for persons and papers, be appointed to consider and report upon the case of Charles Wentworth Bucknell, as set forth in a Petition of the same, received by the Legislative Assembly upon September 30, 1858; and that such inquiry and report extend to the alleged employment of Detectives by the Police Authorities of this Colony in the discovery of real or supposed offences.

(2.) That such Committee consist of Mr. Macleay, Mr. Parkes, Mr. Black, Mr. Dark, Mr. Flood, Mr. Egan, Mr. Douglas, Mr. Asher, and Mr. Clements.

Debate ensued.

Question put and passed.

18. Members of the Assembly being Tenants of the Crown :—Mr. Parkes moved, pursuant to amended notice, That there be laid upon the Table of this House, a Return shewing the following particulars :—

(1.) The number and names of Members of the present Assembly who are pastoral tenants of the Crown.

(2.) The number of runs, and the extent of each, held by each Member.

(3.) The number of years the runs have been occupied, and the right of occupancy unexpired in each case.

(4.) The amount of rent and of assessment paid by each Member.

(5.) The quantity of stock depastured on each run, where it can be ascertained.

(6.) The extent to which the pre-emptive right of purchase has been exercised;—the date of approval by the Executive;—and the price obtained in each case.

(7.) The situation of the run, the character of the soil, whether or not it is suitable for the ordinary purposes of agricultural settlement, and its contiguity to water communication, in each case where such information can be obtained from the Survey Office before the second reading of the Land Bills.

Debate ensued.

Question put and passed.

19. Church and School Lands :—Mr. Wilson moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of any Petition received by the Government regarding the so-called Church and School Lands, in the District of Braidwood; also a copy of any correspondence that has passed between the Braidwood Bench of Magistrates, the Gold Fields' Commissioner, or any other parties and the Government, concerning said Lands.

Question put and passed.

20. Postponement :—Mr. Hay postponed the motion standing in his name thirteenth on the Notice Paper for to-day, until Tuesday next.

21. Customs Duties collected at Newcastle and Morpeth :—Mr. Close moved, pursuant to notice, That there be laid upon the Table of this House, a Return, shewing separately the amount of Duties collected at Newcastle and Morpeth, respectively, from 1st January to 31st December, 1858, and from 1st January to 30th June, 1859.

Question put and passed.

22. Shoalhaven Municipality :—Mr. Hay moved, pursuant to notice, That the Petition of Alexander Berry, presented by him on the 21st instant, be printed.

Debate ensued.

Question put and passed.

Ordered to be printed.

23. Pitt-street Tramway Bill :—Mr. Robertson moved, pursuant to notice, That the Petition of certain Proprietors and Householders of Pitt-street, relative to the Pitt-street Tramway Bill, presented by him on the 22nd instant, be printed.

Question put and passed.

Ordered to be printed.

24. **Pre-emptive Right exercised by Clark Irving, Esquire:**—Mr. Martin moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
- (1.) Copies of all Correspondence between the Government and Mr. Clark Irving, with reference to the exercise by that gentleman of his pre-emptive right to purchase any portion of the Waste Lands of the Crown.
  - (2.) Copies of all Correspondence between the Government and any of its officers, and of all instructions given by the Government to any of its officers on the same subject.
  - (3.) Copies of any Minutes of the Executive Council in reference to the same matter.
  - (4.) Copies of all reports in reference to the same matter.
  - (5.) Plans of all lands purchased by Mr. Clark Irving by the exercise of his pre-emptive right, shewing particularly the water frontage and distance from the sea.
- Debate ensued.  
Question put and passed.
25. **State-paid Clergymen:**—Mr. Jones moved, pursuant to notice, That there be laid on the Table of this House, a Return shewing,—
- (1.) The names of all Clergymen receiving Stipends from the amount appropriated for Public Worship by Schedule C of the Constitution Act.
  - (2.) The amount payable to each of such Clergymen for the year 1859.
  - (3.) The date from which each such Clergyman has received a Stipend under Schedule C.
  - (4.) The date of arrival in the Colony of each such Clergyman; and
  - (5.) So far as may be practicable, and in a brief form, the circumstances under which each of such Clergymen first received his Stipend under the said Schedule.
- Debate ensued.  
Question put and passed.
26. **Samuel Clift:**—Mr. Plunkett moved, pursuant to notice, That the Petition of Samuel Clift, presented by him on the 15th instant, be printed.  
Question put and passed.  
Ordered to be printed.
- The House adjourned at Twelve o'clock, until Tuesday next, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, SEPTEMBER 27.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. **MR. MURRAY** to move for leave to bring in a Bill to abolish the Law of Primogeniture in New South Wales.
2. **MR. MURRAY** to move for leave to bring in a Bill to abolish Capital Punishment in this Colony.
3. **MR. MORRIS** to move for leave to bring in a Bill to provide for the preparation, audit, and presentation to Parliament of Annual Accounts of the Receipt and Expenditure of the Public Revenues; and to define the tenure, constitution, and duties of the office of Auditor General.
4. **MR. FLOOD** to move, That there be laid on the Table of this House,—
  - (1.) A Return of all sums of money voted by this House for Public Works or Buildings (not Railways) for the years 1857 and 1858.
  - (2.) A Return of all Works or Buildings which have been constructed agreeably to the votes taken for the above period.
  - (3.) The amount of every Tender for Works or Buildings so constructed, and the actual amount expended upon each service.
  - (4.) The amount (if any) of any outstanding claims upon the Government for Works or Buildings executed during these years.
  - (5.) A Return showing the manner in which the sums of £6,000 and £10,000 respectively voted in 1857 and 1858 for repairs, alterations, and additions to Public Buildings have been appropriated, giving amount expended upon each separate Building, Work, or general repair.
5. **MR. WINDEYER** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, Copies of the Depositions in the case of one Mrs. Williamson and her Son, tried at Parramatta, on the 17th May last, before H. Cary, Esq., District Court Judge; also the Depositions in the case of one Mrs. Peckman, tried at the same place, and at the same Sessions; together with all Correspondence and Memoranda between the Attorney General and Mr. Meymott, the Crown Prosecutor, with reference to placing those persons on their trial.
6. **MR. MORT** to move for leave to bring in a Bill to extend the duration of the Act known as "The Lien on Wool Act."
7. **MR. SAMUEL** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return, showing the expenditure of Fifty Thousand Pounds, voted in the year 1855, for Railway Surveys; together with a Return of any other sums expended since that time to the present date for the same purpose, specifying the amounts expended on each line for preliminary and working surveys respectively.

8. MR. FORSTER to move for leave to introduce a Bill to alter and amend the Act of Council, 16 Vict., No. 33, intituled "The Police Regulation Act."
9. MR. WALSH to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence which has taken place between the late Government Surgeon of Gladstone and the Government, relative to the payment of his salary—the appointment he held; and of any other correspondence which they have bearing upon the subject.
10. MR. HODGSON to move, That there be laid upon the Table of this House, a statement of all moneys collected in the Port of Newcastle, for Tonnage, Pilotage, and Harbour Dues, from January 1st, 1858, up to the present time.
11. MR. ELLIOTT to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Estimates for 1860, a sum not exceeding £250 for the conveyance of Immigrants to Maryborough.
12. MR. HODGSON to move, That there be laid on the Table of this House, a Return shewing the Salaries paid under the old arrangement in the Civil and Criminal Crown Solicitor's Office, and a Return of the Salaries paid, or proposed to be paid, since the amalgamation of the two offices.
13. MR. MACALISTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence between the Government and Messrs. North, of Wivenhoe, in the District of Moreton, on the subject of the application of the latter to exercise their pre-emptive right over the head station of Wivenhoe; of any Proclamation declaring the said head station a Reserve for a Township; of any Proclamation cancelling the said Reserve; and of any opinion given by the Law Officers of the Crown regarding the effect of such Proclamations, and the claim to exercise the above-mentioned pre-emptive right.
14. MR. PARKES to move, That there be laid on the Table of this House a Return—supplementary to the Return ordered to be printed on the 20th instant—of the Annual Expenditure for the Civil Service of the Colony for the years 1858 and 1859, shewing for each year the separate cost of each Department, and the proportion of the total to each head of the population, approximatively ascertained, with an accompanying explanation of the causes of increase or decrease in the annual amount for each respective service.
15. MR. HAY to move, That the Petition of James Bailey, of Tamworth, presented by him on the 23rd instant, be printed.
16. MR. HAY to move, That the Petition of Lieutenant Seaver, R.N., presented by him on the 23rd instant, be printed.
17. MR. HAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence which has taken place with the Government, in connection with an application of the Chief Justice for leave of absence.
18. MR. HAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence relating to the establishment of a Municipality of Nowra; also, the description of the approved boundaries of such Municipality, accompanied by a plan shewing the same.

ORDERS OF THE DAY :—

1. Duration of Legislative Assemblies Limitation Bill; second reading.
2. Standing Orders; to be considered in Committee.

Questions :—

1. MR. HART to ask THE ATTORNEY GENERAL :—

(1.) Is it his intention to take any Criminal proceedings against Mr. W. R. Bligh, late Clerk of Petty Sessions at Armidale, upon the charges of malversation of office and extortion, set forth in the Report of Mr. E. D. Day, dated 9th February, 1859?

(2.) Has Mr. Bligh rendered his accounts as Clerk of Petty Sessions to the Government, and paid over all moneys received by him?

2. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—

(1.) Have any, and what steps, been taken for the preparation of Jury Lists for District Courts, in the newly-constituted Districts, within the Southern District?

(2.) If any such steps have been taken, at what time? and in what manner? and in what Districts, have such Jury Lists been prepared?

WEDNESDAY, SEPTEMBER 28.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. MR. ROBERTSON to move for leave to bring in a Bill for regulating the Sale of Crown Lands.
3. MR. ROBERTSON to move for leave to bring in a Bill for regulating the Occupation of Crown Lands.
4. MR. ROBERTSON to move for leave to bring in a Bill further to regulate and define the Occupancy of Lands held under Lease or promise of Lease from the Crown.

ORDERS

## ORDERS OF THE DAY :—

1. Judges' Pensions Bill ; second reading.
2. Sydney Necropolis Act Repeal Bill ; second reading.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. CLARK IRVING to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to His Excellency the Governor General, setting forth,—
  - (1.) That His Excellency will be pleased to direct that a Marine Surveyor shall be appointed to proceed to the Clarence and Richmond Rivers, for the purpose of reporting upon any impediments to the Navigation of those waters by vessels of larger tonnage than are usually engaged for bar-harbours on our Coasts, and the probable cost of their removal.
  - (2.) That, according to the Report of Commander Yule, R.N., on the south side of the entrance to the Clarence River, (which is the deepest,) there are ten feet at low water, and within the entrance the depth is from two to four fathoms, where there is good anchorage inside the bar, in a channel near the south shore ; that the width of this channel might be considerably widened by the removal of a small rocky ledge which lies along it, and is a serious impediment to its navigation ; that even now, vessels drawing as much as fourteen feet may enter, whilst fifty miles up the Clarence River vessels of large tonnage may be repaired,—means of heaving down, artificers, and stores, being available ; that the great increase of population in the Clarence District, and its immense agricultural and pastoral capacities, require that the full means of navigating its noble river should be afforded.
  - (3.) That the Richmond River, being entered over a shifting bar, requires that any additional impediments to its safe entry should be removed ; and it has been reported to the Government that by the reckless discharge of ballast at its *embouchure*, by Masters of coasting vessels, the natural obstacles of shifting sands have been considerably aggravated.
  - (4.) That His Excellency will therefore be pleased to place upon the Estimates of Expenditure a sufficient sum for defraying the cost of such a survey as may apprise the Government of the best mode of improving the entrances to both Rivers.
2. MR. GARRETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence that has taken place between the Government, and the Bench of Magistrates at Ulladulla, on the subject of the expenditure of the grant for the formation of the Road leading from that place to Shoalhaven ; also a copy of any instruction that may have been given to David Warden, Esq., J. P., or any other gentleman, relative to the said Road ; and any other correspondence which they have bearing on the same subject.
3. MR. GUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimate for the year 1859, the sum of £50,000, for the Repairs of Roads and Bridges, and erection of new Bridges, in the Western District.

## Questions :—

1. MR. COOPER to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether it is the intention of the Government to construct a Branch Line of Electric Telegraph from Goulburn to Braidwood ?
2. MR. COOPER to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether it is the intention of the Government to place a sum of money on the Estimates for the Repair of the Road from Nelligen to Braidwood ?

## THURSDAY, SEPTEMBER 29.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Bayley's motion, " That the New Trial " Motion Bill be now read a second time."
2. Pitt-street Tramway Bill ; second reading.

## OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. HANDCOCK to move, That there be laid upon the Table of this House, a Return shewing the number of Licensed Sawyers and Splitters of Timber in the Police District of Drayton, Darling Downs, for the twelve months ending the 30 June last, and name of each person so licensed.

## FRIDAY, SEPTEMBER 30.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move,—
  1. That a Select Committee be appointed to take evidence and report upon the social condition of the working classes of this Metropolis, more especially in respect to the four following heads of inquiry :—
    - (1.) The number of mechanics and labourers respectively, who may be wholly or partially out of employment, the period during which such want of employment has been experienced, and the alleged causes thereof.

(2.)

- (2.) The course of wages in different trades and callings during the period of the last two years, and the rates obtained at the present time.
- (3.) The class of house accommodation in its moral and sanitary relations, and the number of freehold dwellings occupied by working mechanics and labourers.
- (4.) The existence and extent of juvenile vagrancy in the public streets, classifying, as far as may be practicable, any such returns, as to age, sex, parentage, religion, education, and place of birth.
2. That such Committee consist of Mr. Plunkett, Mr. Flood, Mr. Byrnes, Mr. Hay, Mr. Loder, Dr. Lang, Mr. Lyons, Mr. Windeyer, Mr. Pemell, and the Mover.
2. MR. DARVALL to move, That the proposed separation of Moreton Bay from the Colony of New South Wales is premature and inexpedient,—
- (1.) Because the power reserved to Her Majesty by the Constitution Act to alter the boundary of the Colony of New South Wales on the North, in such manner as to Her Majesty might seem fit, has not been generally invoked by the people of this Colony, nor by their representatives.
- (2.) Because the assent of the Legislature of this Colony to the proposed separation has not been obtained, and it is manifestly harsh and inconsistent to split into fragments, without their own consent, a community possessing Responsible Government, and the absolute control over their local affairs.
- (3.) Because the population of the proposed Colony of Queensland is so small and scattered as to be unable to discharge the duties of self-government economically or efficiently.
- (4.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to transmit a copy of the foregoing Resolutions to Her Majesty's Principal Secretary of State for the Colonies.
3. MR. DARVALL to move, That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the Legislature of New South Wales,—
- (1.) Because the Colony of New South Wales, as at present constituted, is entitled to the undivided Crown Lands, and to the Territorial Revenue of the Colony which is a portion of the security for the Public Debt and Civil List of the Colony; and no change in the position of the public creditor or debtor in reference to that security can lawfully be made without the concurrence of the Legislature who represent the latter, and are bound to protect the former.
- (2.) Because the payment of the Debt and Civil List of the Colony, and the administration of the security on which they rest, are matters of local concern only, with which the Local Legislature alone can deal.
- (3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a copy of the foregoing Resolutions to be transmitted to Her Majesty's Principal Secretary of State for the Colonies.
4. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all persons sentenced to imprisonment or hard labour in this Colony during the last ten years, stating the circumstances under which they were convicted, the judgments awarded in each case, the names of those whose sentences have been since commuted, the nature and extent of such commutations, the Minutes of the Executive Council awarding them, and the names of the persons on whose recommendation, or at whose solicitation, such commutations were made.
5. MR. MURRAY to move,—
- (1.) That a Select Committee be appointed to inquire into the state of Unproclaimed or Unsurveyed Roads in this Colony.
- (2.) That such Committee consist of Mr. Clements, Mr. Lord, Mr. Samuel, Mr. Macleay, Mr. Robertson, Mr. Laidlaw, Mr. Hurley, Mr. Ryan, Mr. Handcock, and the Mover.

TUESDAY, OCTOBER 4.

*Contingent Notice of Motion :—*

1. DR. LANG to move, "as an amendment on the motion of Mr. Parkes," That the following series of Resolutions be substituted for the series to be moved by that Honorable Member.
- (1.) That, considering the present aspect of affairs in the European world, there is much reason to fear, that Great Britain will sooner or later be involved in war with one or other, if not with more than one, of the great naval and military Powers of Europe.
- (2.) That, in such an event, the whole of these Australian Colonies—comprising a rapidly increasing population of upwards of a million of souls—although isolated from the rest of mankind by surrounding oceans, and having no conceivable interest or concern in any European contest, will, nevertheless, as part and parcel of the British Empire, be immediately involved in all the hardships and calamities of war; as their reputed wealth and defenceless condition would render them a primary object of aggression to any great naval and military Power at war with Britain.
- (3.) That, in such circumstances, these Australian Colonies would become one of the principal theatres of the war, while our hitherto Pacific Ocean would become the chosen battle-field of the navies of Europe.
- (4.) That the occupation of the Island of New Caledonia by the French, rather as a great Naval and Military Nation, than as a French Colony, in the Pacific, evidently points to this anticipated contingency in the great game of European politics.

(5.)

(5.) That so long as Great Britain retains these Colonies in a state of political dependence, as part and parcel of her vast Empire, she is morally bound to defend them against all their enemies, both by sea and land; more especially in wars undertaken for her own political objects, and in which her remote Colonies of the Southern Hemisphere can have no possible interest or concern.

(6.) That the cost of defending the Australian Colonies, in the event of a European war, in which Great Britain should be one of the belligerent parties, would entail upon the Mother Country an enormous expense, while it would materially diminish her means of defence in other localities of far greater importance to her own population.

(7.) That, in such circumstances, it is alike the interest and the duty of Great Britain, as a great commercial, and professedly Christian nation, to obviate all these alarming possibilities of the future, by giving Her Australian Colonies their entire freedom and independence—and by constituting them, under some form of Federal Government, and under such conditions as would be mutually satisfactory—a Sovereign and Independent Australian Empire.

(8.) That the benefits of a material character which Great Britain derives from these Colonies, under the existing system of political dependence, consist principally, if not exclusively, in their affording an eligible market for the products of her native industry, in their being a field for the supply of raw produce for her manufactures; and in their affording an eligible outlet for her superabundant population.

(9.) That all these benefits would not only be continued to Great Britain, and perpetuated for all future time, but would be indefinitely increased and enhanced, notwithstanding the severance of the present ties of political dependence, while the ties of a common interest and mutual affection, arising from their common origin, and their community of language, of laws, and of religion, would not only be unimpaired, but would grow with their growth, and strengthen with their strength.

(10.) That the foregoing Resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. Mr. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—

(1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.

(2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.

(3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.

(4.) That any opinion herein expressed is not intended to apply to the movements of Her Majesty's ships of war in the Australian waters.

(5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.

2. Mr. GARRETT to move, for leave to bring a Bill to authorise the completion of a Tramroad from the Mount Keira Coal Mines to Wollongong Harbour.

3. Mr. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—

(1.) A Copy of the Warehouse Keeper's List of Deficiencies lately discovered in the Bonded Warehouses in Sydney.

(2.) Copy of the Collector's Report on these Deficiencies.

(3.) Copy of Correspondence between the Collector and any Bonded Warehouse Keeper, as to Deficiencies in Teas imported in 1856.

(4.) Copies of Documents shewing the alterations which were made in the weights of the Teas after landing.

(5.) The amount of Duty paid in 1856, on Teas imported by the ship "Hirondelle" in that year.

(6.) The date when the Duty on the Teas per "Hirondelle" were paid.

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WEDNESDAY, OCTOBER 5.

**GOVERNMENT BUSINESS—ORDER OF THE DAY :—**

1. Public Education Bill; second reading.
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THURSDAY.

THURSDAY, OCTOBER 6.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. DARK to move,—

- (1.) That in consequence of the great expense to be incurred in the carriage of Colonial timber to local markets, the importation of timber into this Colony from the United States, Great Britain, and other European States, amounting in the aggregate to nearly four hundred thousand pounds per annum, is injurious to the interests of the Colonists generally, but more especially to the interests of those engaged in sawing Colonial timber.
- (2.) That the importation, free of duty, of turnery, furniture, and other woodware manufactured in the State Prisons of America, by American criminals, is impolitic, as repressive of skill and industry in the free mechanics of this Colony.
- (3.) That Colonial skill and industry ought to be freed from this discouragement, by the imposition of a duty on importations of the kind referred to, and by the abolition of the fee heretofore exacted for licenses to cut timber.
- (4.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.

Question :—

1. MR. DARK to ask THE COLONIAL SECRETARY,—If, in the event of the Duties on Tea and Sugar being reduced or abolished, it is the intention of Government to introduce a Bill imposing an Income and Property Tax?

FRIDAY, OCTOBER 7.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. MARTIN to move the following Resolutions,—

- (1.) That the chief advantage which Governments are able to afford is a pure and efficient administration of justice.
- (2.) That such purity and efficiency cannot be reasonably expected where the higher appointments connected with such administration are conferred upon persons, not with reference to their fitness, but for the purpose of promoting the party views of the Government appointing them.
- (3.) That, in several instances of late, appointments have been so made, and under circumstances such as to justify the most serious apprehension of danger to the public interests.
- (4.) That the conduct of His Excellency's present Advisers in recommending such appointments, and otherwise in reference to the administration of justice, has been such as to call for the marked condemnation of this House.
- (5.) That an Address, embodying the foregoing Resolutions, be presented to His Excellency the Governor General.

THURSDAY, OCTOBER 13.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Public Worship Bill; second reading.

DANIEL COOPER,  
*Speaker.*

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No. 16.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

TUESDAY, 27 SEPTEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Papers :—
  1. Mr. Cowper laid upon the Table the undermentioned Papers :—
    - (1.) Correspondence in reference to the case of James Hibburd.  
Ordered to be printed.
    - (2.) Correspondence relative to complaint against Constable Elleget, of Ipswich.
  2. Mr. Bayley laid upon the Table the undermentioned Paper :—
    - (3.) Return to the Address, in reference to the removal of Mr. Meymott from the office of Crown Prosecutor, adopted, on motion of Mr. Plunkett, on the 23rd instant.  
Ordered to be printed.
2. Leave of Absence, for one month, granted to Mr. Watt, on motion of Mr. Samuel.
3. Leave of Absence, for one month, granted to Mr. Macphillamy, on motion of Mr. Clements.
4. Corporation of the City of Sydney :—Mr. Broughton presented a Petition from the Mayor and Aldermen of the City of Sydney, in Council assembled, representing their inability, in the present state of the finances of the Corporation, to carry on the business of the City with credit to themselves or satisfaction to their constituents, and praying that such measures may be adopted as the merits of the case demand.  
Petition received.
5. Newcastle Wallsend Coal Company's Railway Bill :—Mr. William Macleay presented a Petition from Arthur Hodgson, Esquire, the authorised Agent and Attorney for the Australian Agricultural Company, praying certain Amendments in this Bill.  
Petition received, and referred to the Select Committee on the Bill.
6. Motion withdrawn :—The Revd. Dr. Lang withdrew the motion standing in his name on the *Contingent Notice Paper* for Tuesday, October 4.
7. St. Andrew's College :—Mr. Hay presented a Petition from certain Treasurers and Secretaries, duly appointed at a public meeting of Presbyterians, held in the City of Sydney, for the establishment of a Presbyterian College within the University of Sydney, to be called "St. Andrew's College," praying leave to introduce a Bill for the Incorporation of the said College,—  
And Mr. Hay having produced the *Government Gazette*, and the *Sydney Morning Herald*, and *Empire* newspapers, containing notice, for four consecutive weeks, in the months of July and August last, of the intention to apply for such Bill,—  
Petition received.
8. Law of Primogeniture Abolition Bill :—Mr. Murray moved, pursuant to notice, for leave to bring in a Bill to abolish the Law of Primogeniture in New South Wales.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
9. Capital Punishment Abolition Bill :—Mr. Murray moved, pursuant to notice, for leave to bring in a Bill to abolish Capital Punishment in this Colony.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
10. Revenue and Audit Bill :—Mr. Morris moved, pursuant to amended notice, for leave to bring in a Bill to provide for the Collection and Payment of the Public Moneys; the audit of the Public Accounts; the preparation and presentation to Parliament of Annual Statements of the Receipt and Expenditure of the Public Revenues; and for the Protection and recovery of the Public property.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
11. Postponements :—
  - (1.) Mr. Broughton postponed the motion standing in the name of Mr. Flood fourth on the Notice Paper for to-day, until Tuesday next.
  - (2.) Mr. Parkes postponed the motion standing in the name of Mr. Windeyer fifth on the Notice Paper for to-day, until Tuesday next.

(3.)

- (3.) Mr. Mort *amended* and postponed the motion standing in his name sixth on the Notice Paper for to-day, until this day week.
12. **Expenditure for Railway Surveys**:—Mr. Samuel moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return, shewing the expenditure of Fifty Thousand Pounds, voted in the year 1855, for Railway Surveys; together with a Return of any other sums expended since that time to the present date for the same purpose, specifying the amounts expended on each line for preliminary and working surveys respectively.  
Question put and passed.
13. Motion dropped:—Mr. Forster not moving the motion standing in his name eighth on the Notice Paper for to-day, it dropped.
14. **Late Government Surgeon at Gladstone**:—Mr. Walsh moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence which has taken place between the late Government Surgeon of Gladstone and the Government, relative to the payment of his salary—the appointment he held; and of any other correspondence which they have bearing upon the subject.  
Question put and passed.
15. **Newcastle Tonnage, Pilot, and Harbour Dues**:—Mr. Hodgson moved, pursuant to *amended* notice, That there be laid upon the Table of this House, a Return shewing separately the amount of all moneys collected in the Port of Newcastle, for Tonnage, Pilotage, and Harbour Dues, from January 1st, 1858, up to the present time.  
Debate ensued.  
Question put and passed.
16. **Conveyance of Immigrants to Maryborough**:—Mr. Elliott moved, pursuant to *amended* notice, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Estimates for 1860, a sum not exceeding £250 for the conveyance of Immigrants from Brisbane to Maryborough.  
Debate ensued.  
Question put and passed.
17. **Revenue and Audit Bill**:—Mr. Morris having presented this Bill, Bill intituled "*A Bill to provide for the collection and payment of the Public Moneys; the Audit of the Public Accounts; the preparation and presentation to Parliament of Annual Statement of the Receipt and Expenditure of the Public Revenues; and for the protection and recovery of the Public Property;*" read a first time; ordered to be printed, and read a second time this day fortnight.
18. **Salaries attached to Late and Present Offices of Civil and Criminal Crown Solicitors**:—Mr. Hodgson moved, pursuant to notice, That there be laid upon the Table of this House, a Return shewing the Salaries paid under the old arrangement in the Civil and Criminal Crown Solicitor's Office, and a Return of the Salaries paid, or proposed to be paid, since the amalgamation of the two offices.  
Question put and passed.
19. **Wesley College**:—Mr. McArthur presented a Petition from certain Members of a Committee appointed by the subscribers towards the establishment of a College within the University of Sydney, to be called "Wesley College," praying leave to introduce a Bill to Incorporate the said College,—  
And Mr. McArthur having produced the *Government Gazette* and the *Sydney Morning Herald* newspaper containing Notice, for four consecutive weeks, in the month of August last, of the intention to apply for such Bill,—  
Petition received.
20. **Pre-emptive Right of the Messrs. North over their Head Station of Wivenhoe**:—Mr. Macalister moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence between the Government and Messrs North, of Wivenhoe, in the District of Moreton, on the subject of the application of the latter to exercise their pre-emptive right over the head station of Wivenhoe; of any Proclamation declaring the said head station a Reserve for a Township; of any Proclamation cancelling the said Reserve; and of any opinion given by the Law Officers of the Crown regarding the effect of such Proclamations, and the claim to exercise the above-mentioned pre-emptive right.  
Debate ensued.  
Question put and passed.
21. **Expenditure for the Civil Service in 1858**:—Mr. Parkes moved, pursuant to *amended* notice, That there be laid upon the Table of this House a Return—supplementary to the Return ordered to be printed on the 20th instant—of the Annual Expenditure for the Civil Service of the Colony for the year 1858, shewing the separate cost of each Department, and the proportion of the total to each head of the population, approximatively ascertained, with an accompanying explanation of the causes of increase or decrease in the amount for each respective service.  
Debate ensued.  
Question put and passed.
22. **Mr. James Bailey**:—Mr. Hay moved, pursuant to notice, That the Petition of James Bailey, of Tamworth, presented by him on the 23rd instant, be printed.  
Question put and passed.  
Ordered to be printed.

23. Lieutenant Seaver, R.N.:—Mr. Hay moved, pursuant to notice, That the Petition of Lieutenant Seaver, R.N., presented by him on the 23rd instant, be printed.  
Question put and passed.  
Ordered to be printed.
24. Postponement:—Mr. Hay postponed the motion standing in his name seventeenth on the Notice Paper for to-day, until Friday next.
25. Shoalhaven Municipality:—Mr. Hay moved, pursuant to *amended* notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence relating to the establishment of a Municipality of Nowra; also, the description of the approved boundaries of such Municipality, accompanied by a plan shewing the same, and, as nearly as may be, the boundaries specified in the Petition.  
Question put and passed.
26. Duration of Legislative Assemblies Limitation Bill:—The Revd. Dr. Lang moved, That this Bill be now read a second time.  
Mr. Forster moved, That this Debate be now adjourned until to-morrow.  
Debate ensued.  
Question on motion for adjournment of Debate until to-morrow,—put and negatived.  
Mr. Parkes then moved, That this Debate be now adjourned until this day week.  
Debate continued.  
Question put on the motion for adjournment of the Debate until this day week.  
The House divided.

Ayes, 40.

Mr. Cowper,	Mr. Hay,
Mr. Weekes,	Mr. Jones,
Mr. Hargrave,	Mr. Mort,
Mr. Robertson,	Mr. Macalister,
Mr. Nott,	Mr. Elliott,
Mr. Scott,	Mr. Oxley,
Mr. Windeyer,	Mr. Atkinson,
Mr. Walsh,	Mr. Hamilton,
Mr. Douglas,	Mr. Hodgson,
Mr. Parkes,	Mr. Cummings,
Mr. Roberts,	Mr. Cooper,
Mr. Dickson,	Mr. Gray,
Mr. Samuel,	Mr. Laycock,
Mr. Hieronimus,	Mr. Fleit,
Mr. Hart,	Mr. Pennell,
Mr. Macleay,	Rev. Dr. Lang,
Mr. Wild,	Mr. Handcock,
Mr. Clements,	Mr. Murray,
Mr. Russell,	Mr. Dalley,
Mr. Plunkett,	Mr. Cribb,

} Tellers.

Noes, 13.

Mr. Forster,	Mr. Macarthur,
Mr. Sayers,	Mr. Jenkins,
Mr. Arnold,	Mr. G. Lang,
Mr. Wilson,	Mr. Garrett,
Mr. Black,	Mr. Loder,
Mr. Piddington,	Mr. Morris,
Mr. Laidlaw,	

} Tellers.

27. Proposed Standing Orders:—On motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, for consideration of the Proposed Standing Orders.  
The Chairman reported progress, and obtained leave to sit again to-morrow.  
The House adjourned at a quarter after Eleven o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, SEPTEMBER 28.

### GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. MR. ROBERTSON to move for leave to bring in a Bill for regulating the Sale of Crown Lands.
3. MR. ROBERTSON to move for leave to bring in a Bill for regulating the Occupation of Crown Lands.
4. MR. ROBERTSON to move for leave to bring in a Bill further to regulate and define the Occupancy of Lands held under Lease or promise of Lease from the Crown.
5. MR. COWPER to move for leave to bring in a Bill to remove doubts as to the Election of Aldermen for the City of Sydney.

### ORDERS OF THE DAY:—

1. Judges' Pensions Bill; second reading.
2. Sydney Necropolis Act Repeal Bill; second reading.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. CLARK IRYNG to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to His Excellency the Governor General, setting forth,—  
(1.) That His Excellency will be pleased to direct that a Marine Surveyor shall be appointed to proceed to the Clarence and Richmond Rivers, for the purpose of reporting upon any impediments to the Navigation of those waters by vessels of larger tonnage than are usually engaged for bar-harbours on our Coasts, and the probable cost of their removal.

(2.)

(2.) That, according to the Report of Commander Yule, R.N., on the south side of the entrance to the Clarence River, (which is the deepest,) there are ten feet at low water, and within the entrance the depth is from two to four fathoms, where there is good anchorage inside the bar, in a channel near the south shore; that the width of this channel might be considerably widened by the removal of a small rocky ledge which lies along it, and is a serious impediment to its navigation; that even now, vessels drawing as much as fourteen feet may enter, whilst fifty miles up the Clarence River vessels of large tonnage may be repaired,—means of heaving down, artificers, and stores, being available; that the great increase of population in the Clarence District, and its immense agricultural and pastoral capacities, require that the full means of navigating its noble river should be afforded.

(3.) That the Richmond River being entered over a shifting bar, requires that any additional impediments to its safe entry should be removed; and it has been reported to the Government that by the reckless discharge of ballast at its *embouchure*, by Masters of coasting vessels, the natural obstacles of shifting sands have been considerably aggravated.

(4.) That His Excellency will therefore be pleased to place upon the Estimates of Expenditure a sufficient sum for defraying the cost of such a survey as may apprise the Government of the best mode of improving the entrances to both Rivers.

2. MR. GARRETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence that has taken place between the Government, and the Bench of Magistrates at Ulladulla, on the subject of the expenditure of the grant for the formation of the Road leading from that place to Shoalhaven; also a copy of any instruction that may have been given to David Warden, Esq, J. P., or any other gentleman, relative to the said Road; and any other correspondence which they have bearing on the same subject.
3. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the year 1859, the sum of £50,000, for the Repairs of Roads and Bridges, and erection of new Bridges, in the Western District.
4. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all the proceedings in the case of the Chief Constable *versus* Alfred Bradbury, which was tried on the instant, before the Police Magistrate of Wagga Wagga.
5. MR. WILD to move, That the Petition of Mr. W. Wedge Dark which was laid before the Committee appointed in 1858, to inquire into the Management of the Survey Department, be referred to the Select Committee now sitting on the case of Mr. C. F. Gorton.
6. MR. FORSTER to move for leave to introduce a Bill to alter and amend the Act of Council, 16 Vict., No. 33, intituled "The Police Regulation Act."
7. MR. FORSTER to move, That there be laid upon the Table of this House, copies of all Correspondence during the present year between the Executive Government and the Bench of Magistrates at Queanbeyan, or any person or persons, having reference to applications for additional Police in any part of the District, or to the reduction of the Police Force in the said District.
8. MR. FORSTER to move, That there be laid upon the Table of this House, a Return shewing the alterations made or contemplated for the current or ensuing year in the distribution of the Police Force throughout the Colony, specifying the Police and Electoral Districts in which such alterations have been made or are intended to be made; the extent of reduction or of increase in each District; the cost or saving of the same, as the case may be; and the reasons, if any, for reduction or increase in each case.

ORDER OF THE DAY:—

1. Proposed Standing Orders; to be further considered in Committee.

Questions:—

1. MR. COOPER to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether it is the intention of the Government to construct a Branch Line of Electric Telegraph from Goulburn to Braidwood?
2. MR. COOPER to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether it is the intention of the Government to place a sum of money on the Estimates for the Repair of the Road from Nelligen to Braidwood?
3. MR. LORD to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—When the Township of Condobolin will be proclaimed?
4. MR. MURRAY to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—How the Assessing Commissioners in the Squatting Districts are paid?
5. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—
  - (1.) Whether it is the intention of the Government to lay any Papers or Documents, on the Table of the House, or otherwise, for circulation, whereby the Privy Council system of Education can be known in its principles and details?
  - (2.) Whether the Government themselves understand that system in its principles and details, and if so, what are they?
6. MR. ROBERTS to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether it is the intention of the Government to erect more suitable and convenient Buildings for the District Court in Sydney, and if so, when?

7. *MR. MURRAY to ask THE COLONIAL SECRETARY*,—When the papers relating directly or indirectly to the inquiry lately held at Berrima, in reference to the complaint of Mr. C. H. Walsh against the Magistrates, or any of the Magistrates of that District, which documents were moved for by Mr. Wild on the 2nd instant, will be laid on the Table of this House?
8. *MR. PARKES to ask THE COLONIAL SECRETARY*,—Whether the Government can state positively on what day the Estimates for 1860 will be laid on the Table of this House; also on what day the proposed Bill for altering the constitution of the Legislative Council will be introduced; and whether it has been determined to introduce this Bill in this or the other House of Legislature?
9. *MR. COOPER to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS*,—Whether it is the intention of the Government to cause to be placed upon the Estimates for 1860, a sum of money to repair the road between Narriga and Braidwood?
10. *MR. FORSTER to ask THE COLONIAL SECRETARY*,—Is it intended, by the Government, to make provision in the Estimates for the current year, or otherwise, for the erection at Qucanbayan of a Court House, and other buildings necessary for the administration of Justice under the District Courts Act?

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THURSDAY, SEPTEMBER 20.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Bayley's motion, "That the New Trial " Motion Bill be now read a second time."
2. Pitt-street Tramway Bill; second reading.

OTHER BUSINESS—NOTICES OF MOTION :—

1. *MR. HANDCOCK to move*, That there be laid upon the Table of this House, a Return shewing the number of Licensed Sawyers and Splitters of Timber in the Police District of Drayton, Darling Downs, for the twelve months ending the 30 June last, and name of each person so licensed.
2. *MR. PIDDINGTON to move*, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence between the Chief Commissioner and Engineer-in-Chief of Railways, and Messrs. Peto, Brassey, and Betts, relating to the construction of the Railway Extensions from Campbelltown to Picton, and from Blacktown to Penrith; and also, copies of all Correspondence referring to the use of rails and chairs for temporary purposes.
3. *MR. NORT to move*, That there be laid on the Table of this House, a Return of the properties now held by the National Board of Education, that is to say—The quantity of land in each locality, and whether improved or unimproved—the nature of the buildings erected thereon, whether schools or teachers' residences, or both—the total cost of such erections or improvements in each spot—the amount pledged for school buildings yet unpaid, and the entire estimated amount of the properties at the present time vested in the Board of National Education.

Question :—

1. *DR. LANG to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS*,—  
 (1.) Whether it is contemplated by the Government to make any effort, in the way of exploring the North-western Interior; to ascertain the physical character of the country intervening between Sir Thomas Mitchell's farthest north on the Victoria River, and the head of the Gulf of Carpentaria?  
 (2.) Whether there has been any proposal, on the part of the Government of the Colony of Victoria, to co-operate with the Government of this Colony, for the general exploration of the Interior of Australia?

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FRIDAY, SEPTEMBER 30.

OTHER BUSINESS—NOTICES OF MOTION :—

1. *MR. PARKES to move*,—  
 1. That a Select Committee be appointed to take evidence and report upon the social condition of the working classes of this Metropolis, more especially in respect to the four following heads of inquiry :—  
 (1.) The number of mechanics and labourers respectively, who may be wholly or partially out of employment, the period during which such want of employment has been experienced, and the alleged causes thereof.  
 (2.) The course of wages in different trades and callings during the period of the last two years, and the rates obtained at the present time.  
 (3.) The class of house accommodation in its moral and sanitary relations, and the number of freehold dwellings occupied by working mechanics and labourers.  
 (4.) The existence and extent of juvenile vagrancy in the public streets, classifying, as far as may be practicable, any such returns, as to age, sex, parentage, religion, education, and place of birth.  
 2. That such Committee consist of Mr. Plunkett, Mr. Flood, Mr. Byrnes, Mr. Hay, Mr. Loder, Dr. Lang, Mr. Lyons, Mr. Windeyer, Mr. Pemell, and the Mover.
2. *MR. DARVALL to move*, That the proposed separation of Moreton Bay from the Colony of New South Wales is premature and inexpedient,—

- (1.) Because the power reserved to Her Majesty by the Constitution Act to alter the boundary of the Colony of New South Wales on the North, in such manner as to Her Majesty might seem fit, has not been generally invoked by the people of this Colony, nor by their representatives.
- (2.) Because the assent of the Legislature of this Colony to the proposed separation has not been obtained, and it is manifestly harsh and inconsistent to split into fragments, without their own consent, a community possessing Responsible Government, and the absolute control over their local affairs.
- (3.) Because the population of the proposed Colony of Queensland is so small and scattered as to be unable to discharge the duties of self-government economically or efficiently.
- (4.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to transmit a copy of the foregoing Resolutions to Her Majesty's Principal Secretary of State for the Colonies.
3. MR. DARVALL to move, That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the Legislature of New South Wales,—
  - (1.) Because the Colony of New South Wales, as at present constituted, is entitled to the undivided Crown Lands, and to the Territorial Revenue of the Colony which is a portion of the security for the Public Debt and Civil List of the Colony; and no change in the position of the public creditor or debtor in reference to that security can lawfully be made without the concurrence of the Legislature who represent the latter, and are bound to protect the former.
  - (2.) Because the payment of the Debt and Civil List of the Colony, and the administration of the security on which they rest, are matters of local concern only, with which the Local Legislature alone can deal.
  - (3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a copy of the foregoing Resolutions to be transmitted to Her Majesty's Principal Secretary of State for the Colonies.
4. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all persons sentenced to imprisonment or hard labour in this Colony during the last ten years, stating the circumstances under which they were convicted, the judgments awarded in each case, the names of those whose sentences have been since commuted, the nature and extent of such commutations, the Minutes of the Executive Council awarding them, and the names of the persons on whose recommendation, or at whose solicitation, such commutations were made.
5. MR. MURRAY to move,—
  - (1.) That a Select Committee be appointed to inquire into the state of Unproclaimed or Unsurveyed Roads in this Colony.
  - (2.) That such Committee consist of Mr. Clements, Mr. Lord, Mr. Samuel, Mr. Macleay, Mr. Robertson, Mr. Laidlaw, Mr. Hurley, Mr. Ryan, Mr. Handcock, and the Mover.
6. CAPTAIN RUSSELL to move, That whereas the proposition submitted to this Honorable House by the Member for West Sydney, on Friday last, is repugnant to those feelings which happily pervade all classes of Her Majesty's subjects in these Colonies, and is scandalous and derogatory to the character of the whole community,—Resolve, that the said Resolutions be torn by the Clerk of the Assembly, and swept from the floor of the House.
7. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Returns, viz.:—
  - (1.) All Correspondence between the Government and the several District Judges, Crown Prosecutors, and Clerks of the Peace, since the month of March last, and all letters or other documents from the District Judges previous to that period, and which were omitted in the Return laid on the Table of the late House of Assembly, on the 29th March last.
  - (2.) A nominal list of all the Officers of the District Courts and Quarter Sessions, with the dates of their appointments, and all instructions issued to each respectively.
8. MR. BROUGHTON to move, That the Petition of the Mayor and Aldermen of the Municipal Council of the City of Sydney, presented by him on the 27th instant, be printed.
9. MR. HAY to move for leave to bring in a Bill for the Incorporation of St. Andrew's College.
10. MR. MORRIS to move, That there be laid upon the Table of this House, any correspondence between the Government and its Law Advisers relative to the right of the Aboriginal Natives to exercise the elective franchise.
11. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A nominal list of all the Members of the Executive Council since the introduction of Responsible Government.
  - (2.) Whether any of such Members ceased to belong to the said Executive Council—at what time—and whether by resignation or otherwise.
  - (3.) A nominal list of the Members of the said Executive Council who have been, or are regularly summoned to the sittings thereof, stating the period during which they have been so summoned.
  - (4.) Also, specifying those Members who have not been regularly, or are not now so summoned,—and at what time summonses ceased to be sent to each of such Members.

(5.) All opinions given by the Crown Law Officers on the question whether any other than the Ministers for the time being belong to the said Executive Council, or on any question of a similar nature.

(6.) The Despatches from the Home Government, and any other Documents relating to the resignation or holding of seats, in the Executive Council.

12. Mr. HAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence which has taken place with the Government, in connection with an application of the Chief Justice for leave of absence.

ORDER OF THE DAY :—

1. Conveyance of Immigrants to Maryborough ; consideration of an Address for Funds.

TUESDAY, OCTOBER 4.

OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the movements of Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council ; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
2. Mr. GARRETT to move, for leave to bring a Bill to authorise the completion of a Tramroad from the Mount Keira Coal Mines to Wollongong Harbour.
3. Mr. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Copy of the Warehouse Keeper's List of Deficiencies lately discovered in the Bonded Warehouses in Sydney.
  - (2.) Copy of the Collector's Report on these Deficiencies.
  - (3.) Copy of Correspondence between the Collector and any Bonded Warehouse Keeper, as to Deficiencies in Teas imported in 1856.
  - (4.) Copies of Documents shewing the alterations which were made in the weights of the Teas after landing.
  - (5.) The amount of Duty paid in 1856, on Teas imported by the ship "Hirondelle" in that year.
  - (6.) The date when the Duty on the Teas per "Hirondelle" were paid.
4. Mr. FLOOD to move, That there be laid on the Table of this House,—
  - (1.) A Return of all sums of money voted by this House for Public Works or Buildings (not Railways) for the years 1857 and 1858.
  - (2.) A Return of all Works or Buildings which have been constructed agreeably to the votes taken for the above period.
  - (3.) The amount of every Tender for Works or Buildings so constructed, and the actual amount expended upon each service.
  - (4.) The amount (if any) of any outstanding claims upon the Government for Works or Buildings executed during these years.
  - (5.) A Return shewing the manner in which the sums of £6,000 and £10,000 respectively voted in 1857 and 1858 for repairs, alterations, and additions to Public Buildings have been appropriated, giving amount expended upon each separate Building, Work, or general repair.
5. Mr. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, Copies of the Depositions in the case of one Mrs. Williamson and her Son, tried at Parramatta, on the 17th May last, before H. Cary, Esq., District Court Judge ; also the Depositions in the case of one Mrs. Peckman, tried at the same place, and at the same Sessions ; together with all Correspondence and Memoranda between the Attorney General and Mr. Meymott, the Crown Prosecutor, with reference to placing those persons on their trial.
6. Mr. MORT to move for leave to bring in a Bill to make perpetual the Act known as "The Lien on Wool Act."

ORDER OF THE DAY :—

1. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill" be now read a second time."

WEDNESDAY,

WEDNESDAY, OCTOBER 5.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Public Education Bill ; second reading.

THURSDAY, OCTOBER 6.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. DARE to move,—
  - (1.) That in consequence of the great expense to be incurred in the carriage of Colonial timber to local markets, the importation of timber into this Colony from the United States, Great Britain, and other European States, amounting in the aggregate to nearly four hundred thousand pounds per annum, is injurious to the interests of the Colonists generally, but more especially to the interests of those engaged in sawing Colonial timber.
  - (2.) That the importation, free of duty, of turnery, furniture, and other woodware manufactured in the State Prisons of America, by American criminals, is impolitic, as repressive of skill and industry in the free mechanics of this Colony.
  - (3.) That Colonial skill and industry ought to be freed from this discouragement, by the imposition of a duty on importations of the kind referred to, and by the abolition of the fee heretofore exacted for licenses to cut timber.
  - (4.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.

Question :—

1. MR. DARE to ask THE COLONIAL SECRETARY,—If, in the event of the Duties on Tea and Sugar being reduced or abolished, it is the intention of Government to introduce a Bill imposing an Income and Property Tax ?

FRIDAY, OCTOBER 7.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MARTIN to move the following Resolutions,—
  - (1.) That the chief advantage which Governments are able to afford is a pure and efficient administration of justice.
  - (2.) That such purity and efficiency cannot be reasonably expected where the higher appointments connected with such administration are conferred upon persons, not with reference to their fitness, but for the purpose of promoting the party views of the Government appointing them.
  - (3.) That, in several instances of late, appointments have been so made, and under circumstances such as to justify the most serious apprehension of danger to the public interests.
  - (4.) That the conduct of His Excellency's present Advisers in recommending such appointments, and otherwise in reference to the administration of justice, has been such as to call for the marked condemnation of this House.
  - (5.) That an Address, embodying the foregoing Resolutions, be presented to His Excellency the Governor General.
2. MR. SCOTT to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board.
    - (2.) Upon the operation of the present system of Tonnage Dues ; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
3. DR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd instant, be now taken into consideration.

TUESDAY, OCTOBER 11.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Revenue and Audit Bill ; second reading.

THURSDAY, OCTOBER 13.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Public Worship Bill ; second reading.

DANIEL COOPER,  
*Speaker.*



No. 17.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 28 SEPTEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Messages:—The following Messages from His Excellency the Governor General received and read:—  
(1.) Estimates of Expenditure for 1859-60:—  
W. DENISON, *Message No. 2.*  
*Governor General.*  
In accordance with the provisions contained in the 54th clause of the Constitution Act, the Governor General herewith submits for the consideration of the Legislative Assembly, Estimates of Expenditure for the year 1860.  
The Governor General also submits for consideration, a further Supplementary Estimate of Expenditure for the present year.  
*Government House,*  
*Sydney, 28 September, 1859.*  
Ordered to be printed, together with the accompanying Estimates and further Supplementary Estimate.  
(2.) Proposed Increased Postage on Newspapers:—  
W. DENISON, *Message No. 3.*  
*Governor General.*  
In accordance with the wish of the Legislative Assembly, as expressed in the Address of the 20th instant, I will, by the next mail, transmit to the Secretary of State, a copy of the Resolution relative to the increase of Postage upon Newspapers, to which reference is made in that Address.  
*Government House,*  
*Sydney, 28 September, 1859.*  
Ordered to be printed.
2. Attendance of Member of Legislative Council:—Mr. Cowper moved, That the following Message be carried to the Legislative Council:—  
MR. PRESIDENT,  
The Legislative Assembly having appointed a Select Committee to inquire into and report what changes can be made in the respective Departments of the Government, with a view to promoting their efficiency, and at the same time reducing their cost to the public, with power to send for persons and papers; and that Committee being desirous to examine the Honorable Geoffrey Eagar, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.  
*Legislative Assembly Chamber,*  
*Sydney, 28 September, 1859.* Speaker.  
Question put and passed.
3. Paper:—Mr. Bayley laid upon the Table, Return to the Address, in reference to cases in which the Attorney General and Crown Prosecutors declined to prosecute, adopted, on motion of Mr. Murray, on the 23rd instant.  
Ordered to be printed.
4. Case of James Hibburt:—Mr. Murray moved, without previous notice, That the correspondence laid upon the Table yesterday, in reference to the case of James Hibburt, be referred to the Select Committee now sitting upon that case.  
Question put and passed.
5. Postponement:—Mr. Robertson postponed the motion standing in his name first on the Notice Paper of Government Business for to-day, until this day week.
6. Crown Lands Sales Bill:—Mr. Robertson moved, pursuant to notice, for leave to bring in a Bill for regulating the Sale of Crown Lands.  
Debate ensued.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.

7. Attendance of Member of Legislative Council:—The Speaker reported that during the debate of the question last before the House the following Message was received from the Legislative Council:—

MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated this day, requesting leave for the Honorable Geoffrey Eagar, a Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly to inquire and report what changes can be made in the respective Departments of the Government, with a view to promoting their efficiency, and, at the same time, reducing their cost to the public, with power to send for persons and papers, the Council acquaints the Assembly that leave has been granted to its said Member to attend and be examined by the said Committee, if he think fit.

W. W. BURTON,

President.

Legislative Council Chamber,

Sydney, 28 September, 1859.

8. Crown Lands Occupation Bill:—Mr. Robertson moved, pursuant to notice, for leave to bring in a Bill for regulating the Occupation of Crown Lands.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
9. Leased Lands Occupation Bill:—Mr. Robertson moved, pursuant to notice, for leave to bring in a Bill further to regulate and define the Occupancy of Lands held under Lease or promise of Lease from the Crown.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
10. Sydney Corporation Elections Amendment Bill:—Mr. Cowper moved, pursuant to notice, for leave to bring in a Bill to remove doubts as to the Election of Aldermen for the City of Sydney.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.—  
And Mr. Cowper having presented the Bill, Bill intituled, "*A Bill to remove doubts as to the Election of Aldermen for the City of Sydney*," read a first time; ordered to be printed, and read a second time to-morrow.
11. Postponements:—  
(1.) The second reading of the Judges' Pensions Bill postponed, on motion of Mr. Cowper, until this day fortnight.  
(2.) The second reading of the Sydney Necropolis Act Repeal Bill postponed, on motion of Mr. Cowper, until this day week.
12. Motion dropped:—Mr. Clark Irving not moving the motion standing in his name first on the Notice Paper of Other Business for to-day, it dropped.
13. Paper:—Mr. Cowper laid upon the Table, a Return to the Address, in reference to the case, *Cheval v. Pochlman*, adopted, on motion of Mr. Martin, on the 10th instant.  
*Ordered to be printed.*
14. Expenditure upon Road from Ulladulla to Shoalhaven:—Mr. Garrett moved, pursuant to amended notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence that has taken place between the Government, and the Bench of Magistrates at Ulladulla, on the subject of the expenditure of the grant for the formation of the Road leading from that place to Shoalhaven; a copy of the Proclamation, if any; also a copy of any instruction that may have been given to David Warden, Esq., J. P., or any other gentleman, relative to the said Road; and any other correspondence which they have bearing on the same subject.  
Question put and passed.
15. Postponement:—Mr. Cummings postponed the motion standing in his name third on the Notice Paper of Other Business for to-day, until Tuesday next.
16. Chief Constable of Wagga Wagga *versus* Alfred Bradbury:—Mr. Murray moved, pursuant to amended notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all the Proceedings in the case of the Chief Constable *versus* Alfred Bradbury, which was tried on or about the 13th instant; before the Police Magistrate of Wagga Wagga.  
Question put and passed.
17. Mr. W. Wedge Dark:—Mr. Wild moved, pursuant to notice, That the Petition of Mr. W. Wedge Dark which was laid before the Committee appointed in 1858, to inquire into the Management of the Survey Department, be referred to the Select Committee now sitting on the case of Mr. C. F. Gorton.  
Debate ensued.  
Motion by leave withdrawn.
18. Police Regulation Act Amendment Bill:—Mr. Forster moved, pursuant to notice, for leave to introduce a Bill to alter and amend the Act of Council, 16 Vict., No. 33, intituled "*The Police Regulation Act*."  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
19. Queanbeyan Police:—Mr. Forster moved, pursuant to notice, That there be laid upon the Table of this House, copies of all Correspondence during the present year between the Executive Government and the Bench of Magistrates at Queanbeyan, or any person or persons, having reference to applications for additional Police in any part of the District, or to the reduction of the Police Force in the said District.  
Debate ensued.  
Question put and passed.

20. **Distribution of Police Force:**—Mr. Forster moved, pursuant to notice, That there be laid upon the Table of this House, a Return shewing the alterations made or contemplated for the current or ensuing year in the distribution of the Police Force throughout the Colony, specifying the Police and Electoral Districts in which such alterations have been made or are intended to be made; the extent of reduction or of increase in each District; the cost or saving of the same, as the case may be; and the reasons, if any, for reduction or increase in each case.  
Question put and passed.
21. **Proposed Standing Orders:**—Upon the Order of the Day being read, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for the further consideration of the proposed Standing Orders.  
The Chairman having reported that upon a Division in the Committee it was discovered that there was not a Quorum present, the House was counted, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House at ten minutes after Seven o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, SEPTEMBER 29.

### GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Resumption of the adjourned Debate on Mr. Bayley's motion, "That the New Trial Bill be now read a second time."
2. Pitt-street Tramway Bill; second reading.
3. Sydney Corporation Elections Amendment Bill; second reading.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. HANDCOCK to move, That there be laid upon the Table of this House, a Return shewing the number of Licensed Sawyers and Splitters of Timber in the Police District of Drayton, Darling Downs, for the twelve months ending the 30 June last, and name of each person so licensed.
2. MR. PIDDINGTON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence between the Chief Commissioner and Engineer-in-Chief of Railways, and Messrs. Peto, Brassey, and Betts, relating to the construction of the Railway Extensions from Campbelltown to Picton, and from Blacktown to Pearith; and also, copies of all Correspondence referring to the use of rails and chairs for temporary purposes.
3. MR. NORT to move, That there be laid on the Table of this House, a Return of the properties now held by the National Board of Education, that is to say—The quantity of land in each locality, and whether improved or unimproved—the nature of the buildings erected thereon, whether schools or teachers' residences, or both—the total cost of such erections or improvements in each spot—the amount pledged for school buildings yet unpaid, and the entire estimated amount of the properties at the present time vested in the Board of National Education.

### Questions:—

1. DR. LANG to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—  
(1.) Whether it is contemplated by the Government to make any effort, in the way of exploring the North-western Interior; to ascertain the physical character of the country intervening between Sir Thomas Mitchell's farthest north on the Victoria River, and the head of the Gulf of Carpentaria?  
(2.) Whether there has been any proposal, on the part of the Government of the Colony of Victoria, to co-operate with the Government of this Colony, for the general exploration of the Interior of Australia?
2. MR. WALSH to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Have the Government taken steps towards the erection of those buildings at Rockhampton, for which moneys were voted by the late Parliament; and, if not, what are their reasons for not appropriating said moneys as directed?
3. MR. WALSH to ask THE COLONIAL SECRETARY,—Have the Government considered that until the moneys granted by Parliament for the erection of a Court House at Rockhampton are expended, the inhabitants are precluded from making their request for the establishment of a District Court?
4. MR. WALSH to ask THE COLONIAL SECRETARY,—Have the Government received any communication from the Judge at Moreton, recommending the holding a Circuit Court at Rockhampton, if so, what answer was given thereto?
5. MR. WALSH to ask THE COLONIAL SECRETARY,—The gross amount of travelling expenses paid by the Government, on account of prisoners, and to witnesses in connection with the trials held at Moreton Bay, in the month of August last, for cases sent from Rockhampton?

FRIDAY,

FRIDAY, SEPTEMBER 30.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PARKES to move,—
  1. That a Select Committee be appointed to take evidence and report upon the social condition of the working classes of this Metropolis, more especially in respect to the four following heads of inquiry:—
    - (1.) The number of mechanics and labourers respectively, who may be wholly or partially out of employment, the period during which such want of employment has been experienced, and the alleged causes thereof.
    - (2.) The course of wages in different trades and callings during the period of the last two years, and the rates obtained at the present time.
    - (3.) The class of house accommodation in its moral and sanitary relations, and the number of freehold dwellings occupied by working mechanics and labourers.
    - (4.) The existence and extent of juvenile vagrancy in the public streets, classifying, as far as may be practicable, any such returns, as to age, sex, parentage, religion, education, and place of birth.
  2. That such Committee consist of Mr. Plunkett, Mr. Flood, Mr. Byrnes, Mr. Hay, Mr. Loder, Dr. Lang, Mr. Lyons, Mr. Wiudeyer, Mr. Pemell, and the Mover.
2. MR. DARVALL to move, That the proposed separation of Moreton Bay from the Colony of New South Wales is premature and inexpedient,—
  - (1.) Because the power reserved to Her Majesty by the Constitution Act to alter the boundary of the Colony of New South Wales on the North, in such manner as to Her Majesty might seem fit, has not been generally invoked by the people of this Colony, nor by their representatives.
  - (2.) Because the assent of the Legislature of this Colony to the proposed separation has not been obtained, and it is manifestly harsh and inconsistent to split into fragments, without their own consent, a community possessing Responsible Government, and the absolute control over their local affairs.
  - (3.) Because the population of the proposed Colony of Queensland is so small and scattered as to be unable to discharge the duties of self-government economically or efficiently.
  - (4.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to transmit a copy of the foregoing Resolutions to Her Majesty's Principal Secretary of State for the Colonies.
3. MR. DARVALL to move, That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the Legislature of New South Wales,—
  - (1.) Because the Colony of New South Wales, as at present constituted, is entitled to the undivided Crown Lands, and to the Territorial Revenue of the Colony which is a portion of the security for the Public Debt and Civil List of the Colony; and no change in the position of the public creditor or debtor in reference to that security can lawfully be made without the concurrence of the Legislature who represent the latter, and are bound to protect the former.
  - (2.) Because the payment of the Debt and Civil List of the Colony, and the administration of the security on which they rest, are matters of local concern only, with which the Local Legislature alone can deal.
  - (3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a copy of the foregoing Resolutions to be transmitted to Her Majesty's Principal Secretary of State for the Colonies.
4. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all persons sentenced to imprisonment or hard labour in this Colony during the last ten years, stating the circumstances under which they were convicted, the judgments awarded in each case, the names of those whose sentences have been since commuted, the nature and extent of such commutations, the Minutes of the Executive Council awarding them, and the names of the persons on whose recommendation, or at whose solicitation, such commutations were made.
5. MR. MURRAY to move,—
  - (1.) That a Select Committee be appointed to inquire into the state of Unproclaimed or Unsurveyed Roads in this Colony.
  - (2.) That such Committee consist of Mr. Clements, Mr. Lord, Mr. Samuel, Mr. Macleay, Mr. Robertson, Mr. Laidlaw, Mr. Hurley, Mr. Ryan, Mr. Handcock, and the Mover.
6. CAPTAIN RUSSELL to move, That whereas the proposition submitted to this Honorable House by the Member for West Sydney, on Friday last, is repugnant to those feelings which happily pervade all classes of Her Majesty's subjects in these Colonies, and is scandalous and derogatory to the character of the whole community,—
 Resolve, that the said Resolutions be torn by the Clerk of the Assembly, and swept from the floor of the House.
7. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Returns, viz:—
  - (1.) All Correspondence between the Government and the several District Judges, Crown Prosecutors, and Clerks of the Peace, since the month of March last, and all letters or other documents from the District Judges previous to that period, and which were omitted in the Return laid on the Table of the late House of Assembly, on the 29th March last.

(2.)

- (2) A nominal list of all the Officers of the District Courts and Quarter Sessions, with the dates of their appointments, and all instructions issued to each respectively.
8. Mr. BROUGHTON to move, That the Petition of the Mayor and Aldermen of the Municipal Council of the City of Sydney, presented by him on the 27th instant, be printed.
  9. Mr. HAY to move for leave to bring in a Bill for the Incorporation of St. Andrew's College.
  10. Mr. MORRIS to move, That there be laid upon the Table of this House, any correspondence between the Government and its Law Advisers relative to the right of the Aboriginal Natives to exercise the elective franchise.
  11. Mr. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House.—
    - (1.) A nominal list of all the Members of the Executive Council since the introduction of Responsible Government.
    - (2.) Whether any of such Members ceased to belong to the said Executive Council—at what time—and whether by resignation or otherwise.
    - (3.) A nominal list of the Members of the said Executive Council who have been, or are regularly summoned to the sittings thereof, stating the period during which they have been so summoned.
    - (4.) Also, specifying those Members who have not been regularly, or are not now so summoned,—and at what time summonses ceased to be sent to each of such Members.
    - (5.) All opinions given by the Crown Law Officers on the question whether any other than the Ministers for the time being belong to the said Executive Council, or on any question of a similar nature.
    - (6.) The Despatches from the Home Government, and any other Documents relating to the resignation or holding of seats, in the Executive Council.
  12. Mr. HAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence which has taken place with the Government, in connection with an application of the Chief Justice for leave of absence.
  13. Mr. BYRNES to move for leave to bring in a Bill for the Incorporation of Wesley College.

ORDER OF THE DAY :—

1. Conveyance of Immigrants to Maryborough; consideration of an Address for Funds.

Questions :—

1. Mr. HODGSON to ask THE COLONIAL TREASURER,—Whether it is the intention of the Government to reconsider the question as to the desirableness of the erection of a Light House on Port Stephens Head, and, if so, whether they are prepared to refer the question to the Pilot and Navigation Board in Sydney for their report, and to lay the same upon the Table of this House with as little delay as possible?
2. Mr. FORSTER to ask THE COLONIAL SECRETARY,—Is it intended by the Government to introduce, during the present Session, measures for any, and, if any, for which of the objects specified below, namely,—
  - (1.) Reduction of official Salaries as fixed by Schedule A of the Constitution Act?
  - (2.) Amendment of the Municipalities Act?
  - (3.) Amendment of the Electoral Laws, particularly in relation to proceedings at Elections, and registration and identification of voters?
  - (4.) Regulation of Chinese or other Immigration?
  - (5.) Abolition or reduction of the duty upon exported Gold?
  - (6.) Amendment of the Customs Laws, particularly in relation to the substitution of a Tonnage Duty upon Vessels, for all or some of the Duties at present imposed upon imported articles?
3. Mr. BYRNES to ask THE ATTORNEY GENERAL,—Whether it is the intention of the Government to introduce, during the present Session, any measure to amend and alter the Insolvent Law?

TUESDAY, OCTOBER 4.

Contingent Notice of Motion :—

1. Mr. HODGSON to move, *as an amendment on Mr. Parkes' motion* That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its *affectionate loyalty* to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.)

- (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
- (4.) That any opinion herein expressed, is not intended to apply to the movements of Her Majesty's ships of war in the Australian waters.
- (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
2. Mr. GARRETT to move, for leave to bring a Bill to authorise the completion of a Tramroad from the Mount Keira Coal Mines to Wollongong Harbour.
3. Mr. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
- (1.) A Copy of the Warehouse Keeper's List of Deficiencies lately discovered in the Bonded Warehouses in Sydney.
- (2.) Copy of the Collector's Report on these Deficiencies.
- (3.) Copy of Correspondence between the Collector and any Bonded Warehouse Keeper, as to Deficiencies in Teas imported in 1856.
- (4.) Copies of Documents shewing the alterations which were made in the weights of the Teas after landing.
- (5.) The amount of Duty paid in 1856, on Teas imported by the ship "Hirondelle" in that year.
- (6.) The date when the Duty on the Teas per "Hirondelle" were paid.
4. Mr. FLOOD to move, That there be laid on the Table of this House,—
- (1.) A Return of all sums of money voted by this House for Public Works or Buildings (not Railways) for the years 1857 and 1858.
- (2.) A Return of all Works or Buildings which have been constructed agreeably to the votes taken for the above period.
- (3.) The amount of every Tender for Works or Buildings so constructed, and the actual amount expended upon each service.
- (4.) The amount (if any) of any outstanding claims upon the Government for Works or Buildings executed during these years.
- (5.) A Return shewing the manner in which the sums of £6,000 and £10,000 respectively voted in 1857 and 1858 for repairs, alterations, and additions to Public Buildings have been appropriated, giving amount expended upon each separate Building, Work, or general repair.
5. Mr. WINDEYER to move; That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, Copies of the Depositions in the case of one Mrs. Williamson and her Son, tried at Parramatta, on the 17th May last, before H. Cary, Esq., District Court Judge; also the Depositions in the case of one Mrs. Peckman, tried at the same place, and at the same Sessions; together with all Correspondence and Memoranda between the Attorney General and Mr. Meymott, the Crown Prosecutor, with reference to placing those persons on their trial.
6. Mr. MORT to move for leave to bring in a Bill to make perpetual the Act known as "The Lien on Wool Act."
7. Mr. CLARK IRVING to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of all Moneys derived from the Sale and Leases of Land in the District of the Clarence since the date of the introduction of Responsible Government in New South Wales; distinguishing the Sales and Leases in the Town of Grafton; the Police District of Grafton, and the District of the Richmond; and also a Return shewing the amount expended in Improvements in each locality.
8. Mr. CLARK IRVING to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to His Excellency the Governor General, setting forth,—
- (1.) That His Excellency will be pleased to direct that a Marine Surveyor shall be appointed to proceed to the Clarence and Richmond Rivers, for the purpose of reporting upon any impediments to the Navigation of those waters by vessels of larger tonnage than are usually engaged for bar-harbours on our Coasts, and the probable cost of their removal.
- (2.) That, according to the Report of Commander Yule, R.N., on the south side of the entrance to the Clarence River, (which is the deepest,) there are ten feet at low water, and within the entrance the depth is from two to four fathoms, where there is good anchorage inside the bar, in a channel near the south shore; that the width of this channel might be considerably widened by the removal of a small rocky ledge which lies along it, and is a serious impediment to its navigation; that even now, vessels drawing as much as fourteen feet may enter, whilst fifty miles up the Clarence River vessels of large tonnage may be repaired,—means of heaving down, artificers, and stores, being available; that the great increase of population in the Clarence District, and its immense agricultural and pastoral capacities, require that the full means of navigating its noble river should be afforded.
- (3.) That the Richmond River being entered over a shifting bar, requires that any additional impediments to its safe entry should be removed; and it has been reported to the Government that by the reckless discharge of ballast at its *embouchure*, by Masters of coasting vessels, the natural obstacles of shifting sands have been considerably aggravated.
- (4.)

- (4.) That His Excellency will therefore be pleased to place upon the Estimates of Expenditure a sufficient sum for defraying the cost of such a survey as may apprise the Government of the best mode of improving the entrances to both Rivers.
9. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the year 1859, the sum of £50,000, for the Repairs of Roads and Bridges, and erection of new Bridges, in the Western District.

ORDER OF THE DAY :—

1. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill be now read a second time"

Questions :—

1. MR. CLARK IRVING to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
- (1.) Whether any complaints have been made to the Surveyor General, or any other officer of his department, of the many breaches of the Building and Alignment Acts, 4 William IV, No. 11; 5 William IV, No. 5; and 6 William IV, No. 9, which are to be seen in various parts of the City?
- (2.) Whether he is aware of any informations having been exhibited against any of the offenders?
- (3.) Whether he is aware of a number of informations having been prepared by the City Solicitor, against householders who have re-built, either wholly or partially, tenements lying less than twelve feet from the kerb-stone, and composed of materials not allowed by the Building Act; and the said informations not having been exhibited, on the ground that permission to make an encroachment on the foot-way in Market-street had been given to the householders?
- (4.) Whether, in the event of the Building and Alignment Acts being found insufficient in their provisions, for the conviction of offenders, the Government will be prepared to bring in a Bill to provide for such defects as may appear to exist?
2. MR. WINDEYER to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
- (1.) What are the ordinary working hours of the Steam Dredge at the flats on the Hunter River, and whether it is true, as commonly reported, that there is much loss of time, because work may not be commenced till the person in command comes on board from Newcastle every morning.
- (2.) When will the old channel be sufficiently cleared to allow of the passage of the steamers.

WEDNESDAY, OCTOBER 5.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. WEEKES to move, That this House do now resolve itself into a Committee of the whole, to consider the Estimates, and Supplementary Estimate, for the year 1859-60.
2. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

ORDERS OF THE DAY :—

1. Public Education Bill; second reading.
2. Sydney Necropolis Act Repeal Bill; second reading.

THURSDAY, OCTOBER 6.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. WEEKES to move, That this House do now resolve itself into a Committee of the whole, to consider of the Ways and Means, to meet the Supply granted to Her Majesty.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. DARK to move,—
- (1.) That in consequence of the great expense to be incurred in the carriage of Colonial timber to local markets, the importation of timber into this Colony from the United States, Great Britain, and other European States, amounting in the aggregate to nearly four hundred thousand pounds per annum, is injurious to the interests of the Colonists generally, but more especially to the interests of those engaged in sawing Colonial timber.
- (2.) That the importation, free of duty, of turnery, furniture, and other woodware manufactured in the State Prisons of America, by American criminals, is impolitic, as repressive of skill and industry in the free mechanics of this Colony.
- (3.) That Colonial skill and industry ought to be freed from this discouragement, by the imposition of a duty on importations of the kind referred to, and by the abolition of the fee heretofore exacted for licenses to cut timber.
- (4.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.

Question :—

1. MR. DARK to ask THE COLONIAL SECRETARY,—If, in the event of the Duties on Tea and Sugar being reduced or abolished, it is the intention of Government to introduce a Bill imposing an Income and Property Tax?

FRIDAY,

FRIDAY, OCTOBER 7.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MARTIN to move the following Resolutions,—
  - (1.) That the chief advantage which Governments are able to afford is a pure and efficient administration of justice.
  - (2.) That such purity and efficiency cannot be reasonably expected where the higher appointments connected with such administration are conferred upon persons, not with reference to their fitness, but for the purpose of promoting the party views of the Government appointing them.
  - (3.) That, in several instances of late, appointments have been so made, and under circumstances such as to justify the most serious apprehension of danger to the public interests.
  - (4.) That the conduct of His Excellency's present Advisers in recommending such appointments, and otherwise in reference to the administration of justice, has been such as to call for the marked condemnation of this House.
  - (5.) That an Address, embodying the foregoing Resolutions, be presented to His Excellency the Governor General.
2. MR. SCOTT to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board.
    - (2.) Upon the operation of the present system of Tonnage Dues; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
3. MR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd instant, be now taken into consideration.

TUESDAY, OCTOBER 11.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. PARKES to move, That in consideration of the eminent services of William Charles Wentworth, formerly, and for many years, one of the representatives of the City of Sydney, in obtaining Free Institutions for the Colony, this House gives authority for the Portrait of that gentleman, painted in testimony of the respect entertained for his public character by a number of his fellow colonists, to be permanently placed on the walls of its hall of meeting.

ORDER OF THE DAY :—

1. Revenue and Audit Bill; second reading.

WEDNESDAY, OCTOBER 12.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Judges' Pensions Bill; second reading.

THURSDAY, OCTOBER 13.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Public Worship Bill; second reading.

DANIEL COOPER,  
*Speaker.*



No. 18.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

THURSDAY, 20 SEPTEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
New Arrangement of Ministerial Departments :—Mr. Cowper moved, without previous notice, That the Resolution come to by this House on the 21st instant, in reference to a new arrangement of the Ministerial Departments, be communicated, by Address, to His Excellency the Governor General.  
Question put and passed.
2. Papers :—  
(1.) Mr. Bayley laid upon the Table, Return to the Address, in reference to the Inquiry, at Berrima, into the conduct of H. M. Oxley, Esquire, adopted, on motion of Mr. Wild, on the 3rd instant.  
Ordered to be printed.  
(2.) Mr. Cowper laid upon the Table, Return, in part, to the Order, in reference to State-paid Clergymen, made by this House, on motion of Mr. Jones, on the 23rd instant.  
Ordered to be printed.
3. Moreton Bay Immigration and Land Company :—The Rev. Dr. Lang presented a Petition from the Chairman and Directors of the Moreton Bay Immigration and Land Company, praying leave to introduce a Bill to amend the Act Incorporating the said Company,—  
And the Rev. Dr. Lang having produced the *Government Gazette* and the *Empire* newspaper, containing notice, for four consecutive weeks, in the month of August last, of the intention to apply for such Bill,—  
Petition received.
4. Scots' Church, Sydney :—The Revd. Dr. Lang presented a Petition from certain Elders and Members of the Committee of Management of the Scots' Church, Sydney, praying leave to introduce a Bill to enable the Trustees of the said Church to exchange a portion of their allotment,—  
And the Revd. Dr. Lang having produced the *Government Gazette* and the *Empire* newspaper, containing notice, for four consecutive weeks, in the month of August last, of the intention to apply for such Bill,—  
Petition received.
5. New Trial Motion Bill :—The Adjourned Debate on the Motion of Mr. Bayley, "That this Bill be now read a second time,"—resumed.  
Debate, on Motion of Mr. Bayley, further adjourned until this day week.
6. Postponement :—The second reading of the Pitt-street Tramway Bill postponed, on motion of Mr. Robertson, until the next following Order of the Day shall have been disposed of.
7. Sydney Corporation Elections Amendment Bill,—having been read a second time, on motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for consideration thereof.  
The Chairman having reported the Bill with amendments, the House adopted the same, and Ordered the Bill, as so reported, to be read a third time to-morrow.
8. Pitt-street Tramway Bill :—Mr. Robertson moved, That this Bill be "now read a second time."  
Debate ensued.  
Mr. Samuel moved, That the Question be amended by the omission of the words "now read a second time," with a view to the insertion in their place of the words "referred for the consideration and report of a Select Committee, consisting of Mr. Atkinson, Mr. Black, Mr. Elliott, Mr. Jones, Mr. Broughton, Mr. Morris, Mr. Nott, Mr. Robertson, Mr. Hay, and the Mover,"—  
Debate continued.  
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 ;—  
Whereupon Question,—That this Bill be referred for the consideration and report of a Select Committee, consisting of Mr. Atkinson, Mr. Black, Mr. Elliott, Mr. Jones, Mr. Broughton, Mr. Morris, Mr. Nott, Mr. Robertson, Mr. Hay, and the Mover,—put and passed.

9. Crown Land Sales Bill :—Mr. Robertson having presented this Bill, Bill, intituled, "*A Bill for regulating the sale of Crown Lands*," read a first time; ordered to be printed, and read a second time this day month.
10. Crown Lands Occupation Bill :—Mr. Robertson having presented this Bill, Bill, intituled, "*A Bill for regulating the occupation of the Crown Lands*," read a first time; ordered to be printed, and read a second time this day month.
11. Leased Lands Occupation Bill :—Mr. Robertson having presented this Bill, Bill, intituled, "*A Bill further to regulate and define the occupancy of lands held under Lease or promise of Lease from the Crown*," read a first time; ordered to be printed, and read a second time this day month.
12. Motion dropped :—Mr. Handcock not moving the motion standing in his name first on the Notice Paper of Other Business for to-day, it dropped.
13. Railway Extension Contracts :—Mr. Piddington moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence between the Chief Commissioner and Engineer-in-Chief of Railways, and Messrs. Peto, Brassey, and Betts, relating to the construction of the Railway Extensions from Campbelltown to Picton, and from Blacktown to Penrith; and also, copies of all Correspondence referring to the use of rails and chairs for temporary purposes.  
Debate ensued.  
Question put and passed.
14. Properties of Educational Boards :—Mr. Nott moved, pursuant to notice, "That" there be laid on the Table of this House, a Return of the properties now held by the National Board of Education, that is to say—  
The quantity of land in each locality, and whether improved or unimproved—the nature of the buildings erected thereon, whether schools or teachers' residences, or both—the total cost of such erections or improvements in each spot—the amount pledged for school buildings yet unpaid, and the entire estimated amount of the properties at the present time vested in the Board of National Education.  
Mr. Cape moved, That the Question be amended, by the omission of all the words thereof following the word "That" at the commencement, with a view to the insertion in their place of the words "there be laid upon the Table of this House, a tabulated nominal Return of the properties now held by the National and Denominational Boards of Education respectively, that is to say;—The quantity of land in each locality, and whether granted by Government or private person; the nature of the buildings erected thereon, whether schools or teachers' residences, or both; if any other improvements,—the total cost of such erections and improvements in each spot,—distinguishing in each case the amount contributed from the public funds from that raised by private subscription; and further shewing, in the case of private subscriptions, whether such contributions were made in cash or in what other equivalent; the amount pledged for school buildings yet unpaid; and the entire estimated amount of the properties at the present time vested in the Board of National Education, or vested in Trustees, or otherwise, on account of Denominational Education."  
Debate ensued.  
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;—  
Whereupon Question,—That there be laid upon the Table of this House, a tabulated nominal Return of the properties now held by the National and Denominational Boards of Education respectively, that is to say;—The quantity of land in each locality, and whether granted by Government or private person; the nature of the buildings erected thereon, whether schools or teachers' residences, or both; if any other improvements, the total cost of such erections and improvements in each spot; distinguishing in each case the amount contributed from the public funds from that raised by private subscription; and further shewing, in the case of private subscriptions, whether such contributions were made in cash or in what other equivalent; the amount pledged for school buildings yet unpaid; and the entire estimated amount of the properties at the present time vested in the Board of National Education, or vested in Trustees, or otherwise, on account of Denominational Education,—put and passed.  
The House adjourned at twenty-five minutes after Seven o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, SEPTEMBER 30.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move,—  
1. That a Select Committee be appointed to take evidence and report upon the social condition of the working classes of this Metropolis, more especially in respect to the four following heads of inquiry :—  
(1.) The number of mechanics and labourers respectively, who may be wholly or partially out of employment, the period during which such want of employment has been experienced, and the alleged causes thereof.

(2.)

- (2.) The course of wages in different trades and callings during the period of the last two years, and the rates obtained at the present time.
- (3.) The class of house accommodation in its moral and sanitary relations, and the number of freehold dwellings occupied by working mechanics and labourers.
- (4.) The existence and extent of juvenile vagrancy in the public streets, classifying, as far as may be practicable, any such returns, as to age, sex, parentage, religion, education, and place of birth.
2. That such Committee consist of Mr. Plunkett, Mr. Flood, Mr. Byrnes, Mr. Hay, Mr. Loder, Dr. Lang, Mr. Lyons, Mr. Windeyer, Mr. Pennell, and the Mover.
2. Mr. DARVALL to move, That the proposed separation of Moreton Bay from the Colony of New South Wales is premature and inexpedient,—
- (1.) Because the power reserved to Her Majesty by the Constitution Act to alter the boundary of the Colony of New South Wales on the North, in such manner as to Her Majesty might seem fit, has not been generally invoked by the people of this Colony, nor by their representatives.
- (2.) Because the assent of the Legislature of this Colony to the proposed separation has not been obtained, and it is manifestly harsh and inconsistent to split into fragments, without their own consent, a community possessing Responsible Government, and the absolute control over their local affairs.
- (3.) Because the population of the proposed Colony of Queensland is so small and scattered as to be unable to discharge the duties of self-government economically or efficiently.
- (4.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to transmit a copy of the foregoing Resolutions to Her Majesty's Principal Secretary of State for the Colonies.
3. Mr. DARVALL to move, That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the Legislature of New South Wales,—
- (1.) Because the Colony of New South Wales, as at present constituted, is entitled to the undivided Crown Lands, and to the Territorial Revenue of the Colony which is a portion of the security for the Public Debt and Civil List of the Colony; and no change in the position of the public creditor or debtor in reference to that security can lawfully be made without the concurrence of the Legislature who represent the latter, and are bound to protect the former.
- (2.) Because the payment of the Debt and Civil List of the Colony, and the administration of the security on which they rest, are matters of local concern only, with which the Local Legislature alone can deal.
- (3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a copy of the foregoing Resolutions to be transmitted to Her Majesty's Principal Secretary of State for the Colonies.
4. Mr. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all persons sentenced to imprisonment or hard labour in this Colony during the last ten years, stating the circumstances under which they were convicted, the judgments awarded in each case, the names of those whose sentences have been since commuted, the nature and extent of such commutations, the Minutes of the Executive Council awarding them, and the names of the persons on whose recommendation, or at whose solicitation, such commutations were made.
5. Mr. MURRAY to move,—
- (1.) That a Select Committee be appointed to inquire into the state of Unproclaimed or Unsurveyed Roads in this Colony.
- (2.) That such Committee consist of Mr. Clements, Mr. Lord, Mr. Samuel, Mr. Macleay, Mr. Robertson, Mr. Laidlaw, Mr. Hurley, Mr. Ryan, Mr. Handcock, and the Mover.
6. CAPTAIN RUSSELL to move, That whereas the proposition submitted to this Honorable House by the Member for West Sydney, on Friday last, is repugnant to those feelings which happily pervade all classes of Her Majesty's subjects in these Colonies, and is scandalous and derogatory to the character of the whole community,— Resolve, that the said Resolutions be torn by the Clerk of the Assembly, and swept from the floor of the House.
7. Mr. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Returns, viz:—
- (1.) All Correspondence between the Government and the several District Judges, Crown Prosecutors, and Clerks of the Peace, since the month of March last, and all letters or other documents from the District Judges previous to that period, and which were omitted in the Return laid on the Table of the late House of Assembly, on the 29th March last.
- (2.) A nominal list of all the Officers of the District Courts and Quarter Sessions, with the dates of their appointments, and all instructions issued to each respectively.
8. Mr. BROUGHTON to move, That the Petition of the Mayor and Aldermen of the Municipal Council of the City of Sydney, presented by him on the 27th instant, be printed.
9. Mr. HAY to move for leave to bring in a Bill for the Incorporation of St. Andrew's College.
10. Mr. MORRIS to move, That there be laid upon the Table of this House, any correspondence between the Government and its Law Advisers relative to the right of the Aboriginal Natives to exercise the elective franchise.

11. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House.—
  - (1.) A nominal list of all the Members of the Executive Council since the introduction of Responsible Government.
  - (2.) Whether any of such Members ceased to belong to the said Executive Council—at what time—and whether by resignation or otherwise.
  - (3.) A nominal list of the Members of the said Executive Council who have been, or are regularly summoned to the sittings thereof, stating the period during which they have been so summoned.
  - (4.) Also, specifying those Members who have not been regularly, or are not now so summoned,—and at what time summonses ceased to be sent to each of such Members.
  - (5.) All opinions given by the Crown Law Officers on the question whether any other than the Ministers for the time being belong to the said Executive Council, or on any question of a similar nature.
  - (6.) The Despatches from the Home Government, and any other Documents relating to the resignation or holding of seats, in the Executive Council.
12. MR. HAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence which has taken place with the Government, in connection with an application of the Chief Justice for leave of absence.
13. MR. BYRNES to move for leave to bring in a Bill for the Incorporation of Wesley College.
14. MR. COWPER to move, That the further consideration in Committee of the proposed Standing Orders, which lapsed by the House being counted out on the 28th instant, be restored to the Paper, and stand an Order of the Day for Tuesday next.

ORDER OF THE DAY :—

1. Conveyance of Immigrants to Maryborough ; consideration of an Address for Funds.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Sydney Corporation Elections Amendment Bill ; third reading.

Questions :—

1. MR. HODGSON to ask THE COLONIAL TREASURER,—Whether it is the intention of the Government to reconsider the question as to the desirableness of the erection of a Light House on Port Stephens Head, and, if so, whether they are prepared to refer the question to the Pilot and Navigation Board in Sydney for their report, and to lay the same upon the Table of this House with as little delay as possible ?
2. MR. FORSTER to ask THE COLONIAL SECRETARY,—Is it intended by the Government to introduce, during the present Session, measures for any, and, if any, for which of the objects specified below, namely,—
  - (1.) Reduction of official Salaries as fixed by Schedule A of the Constitution Act ?
  - (2.) Amendment of the Municipalities Act ?
  - (3.) Amendment of the Electoral Laws, particularly in relation to proceedings at Elections, and registration and identification of voters ?
  - (4.) Regulation of Chinese or other Immigration ?
  - (5.) Abolition or reduction of the duty upon exported Gold ?
  - (6.) Amendment of the Customs Laws, particularly in relation to the substitution of a Tonnage Duty upon Vessels, for all or some of the Duties at present imposed upon imported articles ?
3. MR. BYRNES to ask THE ATTORNEY GENERAL,—Whether it is the intention of the Government to introduce, during the present Session, any measure to amend and alter the Insolvent Law ?
4. MR. LAYCOCK to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether it is the intention of the Government to place on the Estimates of Expenditure for 1860, a sufficient sum to permanently repair and metal the Road, where necessary, between Parramatta and Vinegar Hill, on the Windsor Road ?

TUESDAY, OCTOBER 4.

Contingent Notice of Motion :—

1. MR. HODGSON to move, as an amendment on Mr. Parkes' motion That there be inserted between Resolutions 4 and 5, the Resolution following :—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.

(2.)

- (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
- (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
- (4.) That any opinion herein expressed is not intended to apply to the movements of Her Majesty's ships of war in the Australian waters.
- (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
2. MR. GARRETT to move, for leave to bring a Bill to authorise the completion of a Tram-road from the Mount Keira Coal Mines to Wollongong Harbour.
3. MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
- (1.) A Copy of the Warehouse Keeper's List of Deficiencies lately discovered in the Bonded Warehouses in Sydney.
- (2.) Copy of the Collector's Report on these Deficiencies.
- (3.) Copy of Correspondence between the Collector and any Bonded Warehouse Keeper, as to Deficiencies in Teas imported in 1856.
- (4.) Copies of Documents shewing the alterations which were made in the weights of the Teas after landing.
- (5.) The amount of Duty paid in 1856, on Teas imported by the ship "Hirondelle" in that year.
- (6.) The date when the Duty on the Teas per "Hirondelle" were paid.
4. MR. FLOOD to move, That there be laid on the Table of this House,—
- (1.) A Return of all sums of money voted by this House for Public Works or Buildings (not Railways) for the years 1857 and 1858.
- (2.) A Return of all Works or Buildings which have been constructed agreeably to the votes taken for the above period.
- (3.) The amount of every Tender for Works or Buildings so constructed, and the actual amount expended upon each service.
- (4.) The amount (if any) of any outstanding claims upon the Government for Works or Buildings executed during these years.
- (5.) A Return shewing the manner in which the sums of £6,000 and £10,000 respectively voted in 1857 and 1858 for repairs, alterations, and additions to Public Buildings have been appropriated, giving amount expended upon each separate Building, Work, or general repair.
5. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, Copies of the Depositions in the case of one Mrs. Williamson and her Son, tried at Parramatta, on the 17th May last, before H. Cary, Esq., District Court Judge; also the Depositions in the case of one Mrs. Peckman, tried at the same place, and at the same Sessions; together with all Correspondence and Memoranda between the Attorney General and Mr. Meymott, the Crown Prosecutor, with reference to placing those persons on their trial.
6. MR. MORT to move for leave to bring in a Bill to make perpetual the Act known as "The Lien on Wool Act."
7. MR. CLARK IRVING to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of all Moneys derived from the Sale and Leases of Land in the District of the Clarence since the date of the introduction of Responsible Government in New South Wales; distinguishing the Sales and Leases in the Town of Grafton; the Police District of Grafton, and the District of the Richmond; and also a Return shewing the amount expended in Improvements in each locality.
8. MR. CLARK IRVING to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to His Excellency the Governor General, setting forth,—
- (1.) That His Excellency will be pleased to direct that a Marine Surveyor shall be appointed to proceed to the Clarence and Richmond Rivers, for the purpose of reporting upon any impediments to the Navigation of those waters by vessels of larger tonnage than are usually engaged for bar-harbours on our Coasts, and the probable cost of their removal.
- (2.) That, according to the Report of Commander Yule, R.N., on the south side of the entrance to the Clarence River, (which is the deepest,) there are ten feet at low water, and within the entrance the depth is from two to four fathoms, where there is good anchorage inside the bar, in a channel near the south shore; that the width of this channel might be considerably widened by the removal of a small rocky ledge which lies along it, and is a serious impediment to its navigation; that even now, vessels drawing as much as fourteen feet may enter, whilst fifty miles up the Clarence River vessels of large tonnage may be repaired,—means of beaving down, artificers, and stores, being available; that the great increase of population in the Clarence District, and its immense agricultural and pastoral capacities, require that the full means of navigating its noble river should be afforded.

- (3.) That the Richmond River being entered over a shifting bar, requires that any additional impediments to its safe entry should be removed; and it has been reported to the Government that by the reckless discharge of ballast at its *embouchure*, by Masters of coasting vessels, the natural obstacles of shifting sands have been considerably aggravated.
- (4.) That His Excellency will therefore be pleased to place upon the Estimates of Expenditure a sufficient sum for defraying the cost of such a survey as may apprise the Government of the best mode of improving the entrances to both Rivers.
9. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the year 1859, the sum of £50,000, for the Repairs of Roads and Bridges, and erection of new Bridges, in the Western District.
10. MR. ASHER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
- (1.) Copies of all Correspondence between this and the Victorian Government, with reference to the erection of a Bridge across the River Murray at Albury.
- (2.) All Correspondence with and Instructions to subordinate officers, and others, relative to the above Bridge.
- (3.) All Correspondence and Instructions relative to certain Bridges on the Southern Road for which tenders were called on the 23rd of last month.

ORDER OF THE DAY :—

1. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill be now read a second time."

Questions :—

1. MR. CLARK IRVING to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
- (1.) Whether any complaints have been made to the Surveyor General, or any other officer of his department, of the many breaches of the Building and Alignment Acts, 4 William IV, No. 11; 5 William IV, No. 5; and 6 William IV, No. 9, which are to be seen in various parts of the City?
- (2.) Whether he is aware of any informations having been exhibited against any of the offenders?
- (3.) Whether he is aware of a number of informations having been prepared by the City Solicitor, against householders who have re-built, either wholly or partially, tenements lying less than twelve feet from the kerb-stone, and composed of materials not allowed by the Building Act; and the said informations not having been exhibited, on the ground that permission to make an encroachment on the foot-way in Market-street had been given to the householders?
- (4.) Whether, in the event of the Building and Alignment Acts being found insufficient in their provisions, for the conviction of offenders, the Government will be prepared to bring in a Bill to provide for such defects as may appear to exist?
2. MR. WINDEYER to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
- (1.) What are the ordinary working hours of the Steam Dredge at the flats on the Hunter River, and whether it is true, as commonly reported, that there is much loss of time, because work may not be commenced till the person in command comes on board from Newcastle every morning.
- (2.) When will the old channel be sufficiently cleared to allow of the passage of the steamers.

WEDNESDAY, OCTOBER 5:

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. WEEKES to move, That this House do now resolve itself into a Committee of the whole, to consider the Estimates, and Supplementary Estimate, for the year 1859-60.
2. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

ORDERS OF THE DAY :—

1. Public Education Bill; second reading.
2. Sydney Necropolis Act Repeal Bill; second reading.

THURSDAY, OCTOBER 6.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. WEEKES to move, That this House do now resolve itself into a Committee of the whole, to consider of the Ways and Means, to meet the Supply granted to Her Majesty.

ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Bayley's motion, "That the New Trial "Motion Bill be now read a second time."

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. DARK to move,—
- (1.) That in consequence of the great expense to be incurred in the carriage of Colonial timber to local markets, the importation of timber into this Colony from the United States,

States, Great Britain, and other European States, amounting in the aggregate to nearly four hundred thousand pounds per annum, is injurious to the interests of the Colonists generally, but more especially to the interests of those engaged in sawing Colonial timber.

(2.) That the importation, free of duty, of turnery, furniture, and other woodware manufactured in the State Prisons of America, by American criminals, is impolitic, as repressive of skill and industry in the free mechanics of this Colony.

(3.) That Colonial skill and industry ought to be freed from this discouragement, by the imposition of a duty on importations of the kind referred to, and by the abolition of the fee heretofore exacted for licenses to cut timber.

(4.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.

**Question :—**

1. **MR. DARK** to ask THE COLONIAL SECRETARY,—If, in the event of the Duties on Tea and Sugar being reduced or abolished, it is the intention of Government to introduce a Bill imposing an Income and Property Tax?

**FRIDAY, OCTOBER 7.**

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. **MR. MARTIN** to move the following Resolutions,—
  - (1.) That the chief advantage which Governments are able to afford is a pure and efficient administration of justice.
  - (2.) That such purity and efficiency cannot be reasonably expected where the higher appointments connected with such administration are conferred upon persons, not with reference to their fitness, but for the purpose of promoting the party views of the Government appointing them.
  - (3.) That, in several instances of late, appointments have been so made, and under circumstances such as to justify the most serious apprehension of danger to the public interests.
  - (4.) That the conduct of His Excellency's present Advisers in recommending such appointments, and otherwise in reference to the administration of justice, has been such as to call for the marked condemnation of this House.
  - (5.) That an Address, embodying the foregoing Resolutions, be presented to His Excellency the Governor General.
2. **MR. SCOTT** to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board.
    - (2.) Upon the operation of the present system of Tonnage Dues; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
3. **MR. LANG** to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd instant, be now taken into consideration.

**TUESDAY, OCTOBER 11.**

**OTHER BUSINESS—NOTICE OF MOTION :—**

1. **MR. PARKES** to move, That in consideration of the eminent services of William Charles Wentworth, formerly, and for many years, one of the representatives of the City of Sydney, in obtaining Free Institutions for the Colony, this House gives authority for the Portrait of that gentleman, painted in testimony of the respect entertained for his public character by a number of his fellow colonists, to be permanently placed on the walls of its hall of meeting.

**ORDER OF THE DAY :—**

1. Revenue and Audit Bill; second reading.

**WEDNESDAY, OCTOBER 12.**

**GOVERNMENT BUSINESS—ORDER OF THE DAY :—**

1. Judges' Pensions Bill; second reading.

**THURSDAY, OCTOBER 13.**

**GOVERNMENT BUSINESS—ORDER OF THE DAY :—**

1. Public Worship Bill; second reading.

**FRIDAY,**

FRIDAY, OCTOBER 14.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MORRIS to move for leave to bring in a Bill to prohibit the importation of sheep, cattle, or other animals, for the purpose of preventing the introduction of contagious or infectious disorders.
2. DR. LANG to move for leave to bring in a Bill to amend an Act to establish and incorporate a Company, to be called the Moreton Bay Immigration and Land Company.
3. DR. LANG to move for leave to bring in a Bill to enable the Trustees of 'the Scots' Church to exchange a portion of their allotment.

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THURSDAY, OCTOBER 27.

GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Crown Lands Sales Bill ; second reading.
2. Crown Lands Occupation Bill ; second reading.
3. Leased Lands Occupation Bill ; second reading.

DANIEL COOPER,  
*Speaker.*

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No. 19.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

FRIDAY, 30 SEPTEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Vacant Seat :—Mr. Cowper,—having informed the House that Edward Flood, Esquire, had accepted the Office of Secretary for Public Works,—  
 Moved, That the Seat of Edward Flood, Esquire, hath become and is now vacant, by reason of the acceptance of the Office of Secretary for Public Works by the said Edward Flood, Esquire, since his election and return to serve in this House as one of the Members for the Electoral District of Canterbury.  
 Question put and passed.
2. Shoalhaven Municipality :—  
 (1.) Mr. Garrett presented a Petition from certain Landed Proprietors in the District of Shoalhaven, representing that their names have been fraudulently applied to a Petition against the Incorporation of the Nowra and Good Dog Municipality, whereas they actually signed a Petition in favor of the Incorporation of that Municipality, and praying therefore that their signatures to the former Petition may not be considered genuine.  
 Petition received.  
 (2.) Mr. Garrett presented a Petition from James Graham, landholder, of Greenhills, with a similar representation and prayer as regards himself.  
 Petition received.
3. Want of Labor at Rockhampton :—Mr. Walsh presented a Petition from certain persons representing the want of Labor at Rockhampton, and praying that a ship load of Immigrants be forthwith dispatched thither, and that thenceforward a similar number of free Immigrants be landed there quarterly.  
 Petition received.
4. Condition of the Working Classes of the Metropolis :—Mr. Parkes moved, pursuant to amended notice,—  
 1. That a Select Committee be appointed to take evidence and report upon the social condition of the working classes of this Metropolis, more especially in respect to the four following heads of inquiry :—  
 (1.) The number of mechanics and labourers respectively, who may be wholly or partially out of employment, the period during which such want of employment has been experienced, and the alleged causes thereof.  
 (2.) The course of wages in different trades and callings during the period of the last two years, and the rates obtained at the present time.  
 (3.) The class of house accommodation in its moral and sanitary relations, and the number of freehold dwellings occupied by working mechanics and labourers.  
 (4.) The existence and extent of juvenile vagrancy in the public streets, classifying, as far as may be practicable, any such returns, as to age, sex, parentage, religion, education, and place of birth.  
 2. That such Committee consist of Mr. Plunkett, Mr. Walsh, Mr. Byrnes, Mr. Hay, Mr. Loder, Dr. Lang, Mr. Lyons, Mr. Windeyer, Mr. Pemell, and the Mover.  
 Debate ensued.  
 Question put and passed.
5. Proposed Separation of Moreton Bay :—Mr. Darvall moved, pursuant to notice, That the proposed separation of Moreton Bay from the Colony of New South Wales is premature and inexpedient,—  
 (1.) Because the power reserved to Her Majesty by the Constitution Act to alter the boundary of the Colony of New South Wales on the North, in such manner as to Her Majesty might seem fit, has not been generally invoked by the people of this Colony, nor by their representatives.  
 (2.) "Because" the assent of the Legislature of this Colony to the proposed separation has not been obtained, and it is manifestly harsh and inconsistent to split into fragments, without their own consent, a community possessing Responsible Government, and the absolute control over their local affairs.  
 (3.) Because the population of the proposed Colony of Queensland is so small and scattered as to be unable to discharge the duties of self-government economically or efficiently.

(4.)

(4.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to transmit a copy of the foregoing Resolutions to Her Majesty's Principal Secretary of State for the Colonies.

Debate ensued.

Mr. Hay moved, That the Question be amended by the omission of all the words in section (2) following the word "Because," at the commencement thereof, with a view to the insertion in their place of the words "such arrangements as have been made" by either the Imperial Government or that of New South Wales, seem calculated "to establish the Metropolitan predominance of the County of Stanley and Town of Brisbane,—a predominance which is not justified by natural advantages, and is "opposed to the interests of the Districts further North."

Debate continued ;—

Motion made by Mr. Plunkett, and Question,—That this Debate be now adjourned until Tuesday next, and have precedence over all other business on the Paper for that day,—put and passed.

6. Paper :—Mr. Robertson laid upon the Table certain Correspondence respecting Telegraphic Communication with Europe.

Ordered to be printed.

The House adjourned at Eleven o'clock, until Tuesday next, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, OCTOBER 4.

### OTHER BUSINESS—ORDER OF THE DAY :—

1. Resumption of the Adjourned Debate on Mr. Darvall's motion, That the proposed Separation of Moreton Bay from the Colony of New South Wales is premature and inexpedient,—
  - (1.) Because the power reserved to Her Majesty by the Constitution Act to alter the boundary of the Colony of New South Wales, on the North, in such manner as to Her Majesty might seem fit, has not been generally invoked by the people of this Colony, nor by their representatives.
  - (2.) "Because" the assent of the Legislature of this Colony to the proposed Separation has not been obtained, and it is manifestly harsh and inconsistent to split into fragments—without their own consent—a community possessing Responsible Government, and the absolute control over their local affairs.
  - (3.) Because the population of the proposed Colony of Queensland is so small and scattered as to be unable to discharge the duties of self-government economically or efficiently.
  - (4.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to transmit a copy of the foregoing Resolutions to Her Majesty's Principal Secretary of State for the Colonies,—
 Upon which Mr. Hay had moved, by way of amendment, That all the words in section (2) following the word "Because," at the commencement thereof, be omitted, with a view to the insertion in their place of the words, "such arrangements as have been made by either "the Imperial Government or that of New South Wales, seem calculated to establish "the Metropolitan predominance of the County of Stanley and Town of Brisbane,—a "predominance which is not justified by natural advantages, and is opposed to the "interests of the Districts further North."

### Contingent Notice of Motion :—

1. Mr. HODGSON to move, as an amendment on Mr. Parkes' motion That there be inserted between Resolutions 4 and 5, the Resolution following :—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its *affectionate loyalty* to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen

- Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
- (4) That any opinion herein expressed is not intended to apply to the movements of Her Majesty's ships of war in the Australian waters.
- (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
2. MR. GARRETT to move, for leave to bring a Bill to authorise the completion of a Tram-road from the Mount Keira Coal Mines to Wollongong Harbour.
  3. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, Copies of the Depositions in the case of one Mrs. Williamson and her Son, tried at Parramatta, on the 17th May last, before H. Cary, Esq., District Court Judge; also the Depositions in the case of one Mrs. Peckman, tried at the same place, and at the same Sessions; together with all Correspondence and Memoranda between the Attorney General and Mr. Meymott, the Crown Prosecutor, with reference to placing those persons on their trial.
  4. MR. MORT to move for leave to bring in a Bill to make perpetual the Act known as "The Lichen on Wool Act."
  5. MR. CLARK IRVING to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of all Moneys derived from the Sale and Leases of Land in the District of the Clarence since the date of the introduction of Responsible Government in New South Wales; distinguishing the Sales and Leases in the Town of Grafton; the Police District of Grafton, and the District of the Richmond; and also a Return shewing the amount expended in Improvements in each locality.
  6. MR. CLARK IRVING to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to His Excellency the Governor General, setting forth,—
    - (1.) That His Excellency will be pleased to direct that a Marine Surveyor shall be appointed to proceed to the Clarence and Richmond Rivers, for the purpose of reporting upon any impediments to the Navigation of those waters by vessels of larger tonnage than are usually engaged for bar-harbours on our Coasts, and the probable cost of their removal
    - (2.) That, according to the Report of Commander Yule, R.N., on the south side of the entrance to the Clarence River, (which is the deepest,) there are ten feet at low water, and within the entrance the depth is from two to four fathoms, where there is good anchorage inside the bar, in a channel near the south shore; that the width of this channel might be considerably widened by the removal of a small rocky ledge which lies along it, and is a serious impediment to its navigation; that even now, vessels drawing as much as fourteen feet may enter, whilst fifty miles up the Clarence River vessels of large tonnage may be repaired,—means of heaving down, artificers, and stores, being available; that the great increase of population in the Clarence District, and its immense agricultural and pastoral capacities, require that the full means of navigating its noble river should be afforded.
    - (3.) That the Richmond River being entered over a shifting bar, requires that any additional impediments to its safe entry should be removed; and it has been reported to the Government that by the reckless discharge of ballast at its *embouchure*, by Masters of coasting vessels, the natural obstacles of shifting sands have been considerably aggravated.
    - (4.) That His Excellency will therefore be pleased to place upon the Estimates of Expenditure a sufficient sum for defraying the cost of such a survey as may apprise the Government of the best mode of improving the entrances to both Rivers.
  7. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the year 1859, the sum of £50,000, for the Repairs of Roads and Bridges, and erection of new Bridges, in the Western District.
  8. MR. ASHER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
    - (1) Copies of all Correspondence between this and the Victorian Government, with reference to the erection of a Bridge across the River Murray at Albury.
    - (2.) All Correspondence with and Instructions to subordinate officers, and others, relative to the above Bridge.
    - (3.) All Correspondence and Instructions relative to certain Bridges on the Southern Road for which tenders were called on the 23rd of last month.
  9. MR. GARRETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return showing all Lands sold in the Nowra and Good Dog Municipality, setting forth the names of each purchaser, the date of the transaction, the extent of, and price paid for each lot, at per acre or otherwise; and, if any has been granted, for what service.

10. **MR. MACLEAY** to move, That there be laid upon the Table of this House, a Return shewing,—
  - (1.) The population and area in square miles of each Police District of the Colony, with the number of Police in each during the year 1859, and the number proposed for 1860.
  - (2.) The number of cases tried, and the amount of fees and fines, at the Courts of Petty Sessions in each Police District during the year 1858, and the first nine months of 1859.
11. **MR. DARVAILL** to move, That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the Legislature of New South Wales,—
  - (1.) Because the Colony of New South Wales, as at present constituted, is entitled to the undivided Crown Lands, and to the Territorial Revenue of the Colony which is a portion of the security for the Public Debt and Civil List of the Colony; and no change in the position of the public creditor or debtor in reference to that security can lawfully be made without the concurrence of the Legislature who represent the latter, and are bound to protect the former.
  - (2.) Because the payment of the Debt and Civil List of the Colony, and the administration of the security on which they rest, are matters of local concern only, with which the Local Legislature alone can deal.
  - (3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a copy of the foregoing Resolutions to be transmitted to Her Majesty's Principal Secretary of State for the Colonies.
12. **MR. MURRAY** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all persons sentenced to imprisonment or hard labour in this Colony during the last ten years, stating the circumstances under which they were convicted, the judgments awarded in each case, the names of those whose sentences have been since commuted, the nature and extent of such commutations, the Minutes of the Executive Council awarding them, and the names of the persons on whose recommendation, or at whose solicitation, such commutations were made.
13. **MR. MURRAY** to move,—
  - (1.) That a Select Committee be appointed to inquire into the state of Unproclaimed or Unsurveyed Roads in this Colony.
  - (2.) That such Committee consist of Mr. Clements, Mr. Lord, Mr. Samuel, Mr. Macleay, Mr. Robertson, Mr. Laidlaw, Mr. Hurley, Mr. Ryan, Mr. Handcock, and the Mover.
14. **CAPTAIN RUSSELL** to move, That whereas the proposition submitted to this Honorable House by the Member for West Sydney, on Friday last, is repugnant to those feelings which happily pervade all classes of Her Majesty's subjects in these Colonies, and is scandalous and derogatory to the character of the whole community,—Resolve, that the said Resolutions be torn by the Clerk of the Assembly, and swept from the floor of the House.
15. **MR. PLUNKETT** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Returns, viz. :—
  - (1.) All Correspondence between the Government and the several District Judges, Crown Prosecutors, and Clerks of the Peace, since the month of March last, and all letters or other documents from the District Judges previous to that period, and which were omitted in the Return laid on the Table of the late House of Assembly, on the 29th March last.
  - (2.) A nominal list of all the Officers of the District Courts and Quarter Sessions, with the dates of their appointments, and all instructions issued to each respectively.
16. **MR. BROUGHTON** to move, That the Petition of the Mayor and Aldermen of the Municipal Council of the City of Sydney, presented by him on the 27th instant, be printed.
17. **MR. HAY** to move for leave to bring in a Bill for the Incorporation of St. Andrew's College.
18. **MR. MORRIS** to move, That there be laid upon the Table of this House, any correspondence between the Government and its Law Advisers relative to the right of the Aboriginal Natives to exercise the elective franchise.
19. **MR. PLUNKETT** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A nominal list of all the Members of the Executive Council since the introduction of Responsible Government.
  - (2.) Whether any of such Members ceased to belong to the said Executive Council—at what time—and whether by resignation or otherwise.
  - (3.) A nominal list of the Members of the said Executive Council who have been, or are regularly summoned to the sittings thereof, stating the period during which they have been so summoned.
  - (4.) Also, specifying those Members who have not been regularly, or are not now so summoned,—and at what time summonses ceased to be sent to each of such Members.
  - (5.) All opinions given by the Crown Law Officers on the question whether any other than the Ministers for the time being belong to the said Executive Council, or on any question of a similar nature.
  - (6.) The Despatches from the Home Government, and any other Documents relating to the resignation or holding of seats, in the Executive Council.

20. MR. HAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence which has taken place with the Government, in connection with an application of the Chief Justice for leave of absence.
21. MR. BYRNES to move for leave to bring in a Bill for the Incorporation of Wesley College.
22. MR. COWPER to move, That the further consideration in Committee of the proposed Standing Orders, which lapsed by the House being counted out on the 28th instant, be restored to the Paper, and stand an Order of the Day for Tuesday next.

ORDERS OF THE DAY :—

1. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill be now read a second time."
2. Conveyance of Immigrants to Maryborough; consideration of an Address for Funds.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Sydney Corporation Elections Amendment Bill; third reading.

Questions :—

1. MR. CLARK IRVING to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
  - (1.) Whether any complaints have been made to the Surveyor General, or any other officer of his department, of the many breaches of the Building and Alignment Acts, 4 William IV, No. 11; 5 William IV, No. 5; and 6 William IV, No. 9, which are to be seen in various parts of the City?
  - (2.) Whether he is aware of any informations having been exhibited against any of the offenders?
  - (3.) Whether he is aware of a number of informations having been prepared by the City Solicitor, against householders who have re-built, either wholly or partially, tenements lying less than twelve feet from the kerb-stone, and composed of materials not allowed by the Building Act; and the said informations not having been exhibited, on the ground that permission to make an encroachment on the foot-way in Market-street had been given to the householders?
  - (4.) Whether, in the event of the Building and Alignment Acts being found insufficient in their provisions, for the conviction of offenders, the Government will be prepared to bring in a Bill to provide for such defects as may appear to exist?
2. MR. WINDRYER to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
  - (1.) What are the ordinary working hours of the Steam Dredge at the flats on the Hunter River, and whether it is true, as commonly reported, that there is much loss of time, because work may not be commenced till the person in command comes on board from Newcastle every morning?
  - (2.) When will the old channel be sufficiently cleared to allow of the passage of the steamers?
3. MR. DARVALL to ask THE ATTORNEY GENERAL,—Whether it is the intention of the Government to establish a District Court to meet the requirements of the inhabitants of Wollombi and of the Macdonald River Districts, many of whom have now to travel more than 80 miles to the nearest District Court at Maitland?
4. MR. PARKES to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—With reference to the sum of £1,882, on the Supplementary Estimates for 1859, to provide Punts at Glebe Island,—whether these Punts are now being constructed, and when they are likely to be ready for use; also, whether the necessary alterations in the Abattoirs, including swing-gates and drains, reported upon and approved by the Acting Colonial Architect about five weeks ago, are being carried out?
5. MR. PARKES to ask THE COLONIAL SECRETARY,—Whether, having reference to the inquiry "into the cause of the alarming increase of Intemperance in the Colony," by a Select Committee of the Legislative Council in 1854 and 1855—on the motion of Charles Cowper, Esq., then one of the Members for Durham—it is the intention of the Government to submit to Parliament any measures to check the "alarming" evils disclosed in the evidence then taken?
6. MR. CLARK IRVING to ask THE COLONIAL SECRETARY,—Whether, in the event of the land, in Macquarie-street, on which the School of Industry now stands, being appropriated as the site for the new Houses of Parliament, it is the intention of the Government to propose the continuance of that Institution?
7. MR. SAYERS to ask THE COLONIAL TREASURER,—
  - (1.) If it is the intention of Government in accordance with the notice in the *Government Gazette* of the 25th January, 1859, to supply the coxswains and crews of the Pilots' boats stationed at South Head, with residence?
  - (2.) Do the Government intend to refund the amounts already paid by these persons for their residence since these Regulations were issued up to the present time?

WEDNESDAY, OCTOBER 5.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. WEEKES to move, That this House do now resolve itself into a Committee of the whole, to consider the Estimates, and Supplementary Estimate, for the year 1859-60.
2. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

ORDERS OF THE DAY :—

1. Public Education Bill ; second reading.
2. Sydney Necropolis Act Repeal Bill ; second reading.

THURSDAY, OCTOBER 6.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. WEEKES to move, That this House do now resolve itself into a Committee of the whole, to consider of the Ways and Means, to meet the Supply granted to Her Majesty.

ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Bayley's motion, " That the New Trial " Motion Bill be now read a second time."

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. DARK to move,—
  - (1.) That in consequence of the great expense to be incurred in the carriage of Colonial timber to local markets, the importation of timber into this Colony from the United States, Great Britain, and other European States, amounting in the aggregate to nearly four hundred thousand pounds per annum, is injurious to the interests of the Colonists generally, but more especially to the interests of those engaged in sawing Colonial timber.
  - (2.) That the importation, free of duty, of turnery, furniture, and other woodware manufactured in the State Prisons of America, by American criminals, is impolitic, as repressive of skill and industry in the free mechanics of this Colony.
  - (3.) That Colonial skill and industry ought to be freed from this discouragement, by the imposition of a duty on importations of the kind referred to, and by the abolition of the fee heretofore exacted for licenses to cut timber.
  - (4.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.

Question :—

1. MR. DARK to ask THE COLONIAL SECRETARY,—If, in the event of the Duties on Tea and Sugar being reduced or abolished, it is the intention of Government to introduce a Bill imposing an Income and Property Tax ?

FRIDAY, OCTOBER 7.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MARTIN to move the following Resolutions,—
  - (1.) That the chief advantage which Governments are able to afford is a pure and efficient administration of justice.
  - (2.) That such purity and efficiency cannot be reasonably expected where the higher appointments connected with such administration are conferred upon persons, not with reference to their fitness, but for the purpose of promoting the party views of the Government appointing them.
  - (3.) That, in several instances of late, appointments have been so made, and under circumstances such as to justify the most serious apprehension of danger to the public interests.
  - (4.) That the conduct of His Excellency's present Advisers in recommending such appointments, and otherwise in reference to the administration of justice, has been such as to call for the marked condemnation of this House.
  - (5.) That an Address, embodying the foregoing Resolutions, be presented to His Excellency the Governor General.
2. MR. SCOTT to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board.
    - (2.) Upon the operation of the present system of Tonnage Dues ; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
3. MR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd instant, be now taken into consideration.

TUESDAY,

## TUESDAY, OCTOBER 11.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move, That in consideration of the eminent services of William Charles Wentworth, formerly, and for many years, one of the representatives of the City of Sydney, in obtaining Free Institutions for the Colony, this House gives authority for the *Portrait of that gentleman, painted in testimony of the respect entertained for his public character by a number of his fellow colonists, to be permanently placed on the walls of its hall of meeting.*
2. MR. MCARTHUR to move,—
  - (1.) That, in the opinion of this House, the value and importance of the Fijian Islands, from their geographical position—their vast natural resources—their peculiar adaptation for the growth of the cotton of commerce—the capacity of their inhabitants to appreciate and embrace the advantages of civilization—and their political and commercial relations to this Colony, render it highly desirable that they should become the possession of the British Crown.
  - (2.) That the proposal made by the Principal Chief to cede the Sovereignty of the Fijis to Great Britain offers a favorable opportunity to effect this object.

## ORDER OF THE DAY :—

1. Revenue and Audit Bill ; second reading.

## WEDNESDAY, OCTOBER 12.

## GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Judges' Pensions Bill ; second reading.

## THURSDAY, OCTOBER 13.

## GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Public Worship Bill ; second reading.

## FRIDAY, OCTOBER 14.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MORRIS to move for leave to bring in a Bill to prohibit the importation of sheep, cattle, or other animals, for the purpose of preventing the introduction of contagious or infectious disorders.
2. DR. LANG to move for leave to bring in a Bill to amend an Act to establish and incorporate a Company, to be called the Moreton Bay Immigration and Land Company.
3. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.

## THURSDAY, OCTOBER 27.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Crown Lands Sales Bill ; second reading.
2. Crown Lands Occupation Bill ; second reading.
3. Leased Lands Occupation Bill ; second reading.

DANIEL COOPER,  
Speaker.





No. 20.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

TUESDAY, 4 OCTOBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Paper:—Mr. Cowper laid upon the Table a Report from Captain O'Connell, on the present condition of the Settlement at Port Curtis.  
Ordered to be printed.
2. Freight on Railway Chairs and Keys, per "Madura":—Mr. Samuel presented a Petition from the Vice-Consul for the Netherlands, representing that a portion of the freight on certain Railway Chairs and Keys imported for Government, in the Dutch barque "Madura," remains unpaid, and praying relief.  
Petition received.
3. Public Education Bill:—Mr. Plunkett presented a Petition from the Honorable James Macarthur, Esquire, and Sir William Macarthur, praying that provision be made in this Bill to secure the National System of Education from the injurious operation of political or sectarian influences.  
Petition received.
4. Newcastle Wallsend Coal Company's Railway Bill:—Mr. Forster presented a Petition from John Whitehill Stevens, Esquire, of New England House, Hitchin, Herts, England, by his Attorney, G. E. Darby, praying certain amendments in this Bill.  
Petition received, and referred to the Select Committee on the Bill.
5. Queen Charlotte Vale Road:—Mr. Clements presented a Petition from certain Inhabitants and Proprietors of Land situated on and in the vicinity of the Southern Road leading to the Town of Bathurst, representing the frequently impassable state of that portion of the Road known as "Queen Charlotte Vale Road," and praying the House will take the matter into consideration.  
Petition received.
6. Lieut. Seaver, R.N.:—Mr. Hodgson presented a Petition from certain Inhabitants of the City of Newcastle, representing Petitioners belief that Lieut. Seaver has been treated with undeserved severity, and praying that compensation may be awarded to him.  
Petition received.
7. Proposed Separation of Moreton Bay:—The Adjourned Debate on Mr. Darvall's motion, That the proposed Separation of Moreton Bay from the Colony of New South Wales is premature and inexpedient,—
  - (1.) Because the power reserved to Her Majesty by the Constitution Act to alter the boundary of the Colony of New South Wales, on the North, in such manner as to Her Majesty might seem fit, has not been generally invoked by the people of this Colony, nor by their representatives.
  - (2.) "Because" the assent of the Legislature of this Colony to the proposed Separation has not been obtained, and it is manifestly harsh and inconsistent to split into fragments—without their own consent—a community possessing Responsible Government, and the absolute control over their local affairs.
  - (3.) Because the population of the proposed Colony of Queensland is so small and scattered as to be unable to discharge the duties of self-government economically or efficiently.
  - (4.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to transmit a copy of the foregoing Resolutions to Her Majesty's Principal Secretary of State for the Colonies,—
 Upon which Mr. Hay had moved, by way of amendment, That all the words in section (2) following the word "Because," at the commencement thereof, be omitted, with a view to the insertion in their place of the words, "such arrangements as have been made" "by either the Imperial Government or that of New South Wales, seem calculated to" "establish the Metropolitan predominance of the County of Stanley and Town of Brisbane,—a predominance which is not justified by natural advantages, and is" "opposed to the interests of the Districts further North,"—resumed.

And

And the House continuing to sit till after Midnight,—

WEDNESDAY, 5 OCTOBER, 1859.

Debate continued.

And it being agreed to put the Resolutions as follows,—

Question put,—That the proposed Separation of Moreton Bay from the Colony of New South Wales is premature and inexpedient.

The House divided.

Ayes, 29.		Noes, 22.	
Mr. Lyons,	Mr. Elliott,	Mr. Cowper,	Mr. Oakes,
Mr. Walsh,	Mr. Plunkett,	Mr. Robertson,	Mr. Atkinson,
Mr. Morris,	Mr. Hurley,	Mr. Weekes,	Mr. Richardson,
Mr. Nott,	Mr. Murray,	Mr. Bayley,	Mr. McArthur,
Mr. Hamilton,	Mr. Darvall,	Mr. Hargrave,	Mr. Close,
Mr. Clements,	Mr. Oxley,	Mr. Douglas,	Mr. Hodgson,
Mr. Russell,	Mr. Roberts,	Mr. Black,	Mr. Irving,
Mr. Laidlaw,	Mr. Dickson,	Mr. Flett,	Rev. Dr. Lang,
Mr. Loder,	Mr. Rotton,	Mr. Jamison,	Mr. Gray,
Mr. Windeyer,	Mr. Scott,	Mr. Wilson,	Mr. Mort,
Mr. Forster,	Mr. Hay,	Mr. Jones,	Mr. Macalister,
Mr. Macleay,	Mr. Piddington,	} Tellers.	
Mr. Cummings,	Mr. Parkes,		
Mr. Hieronimus,	Mr. Hart,		
Mr. Jenkins,			

Section (1) by leave withdrawn.

Question stated,—(2).—"Because" the assent of the Legislature of this Colony to the proposed Separation has not been obtained, and it is manifestly harsh and inconsistent to split into fragments, without their own consent, a community possessing Responsible Government, and the absolute control over their local affairs,—

Upon which Mr. Hay had moved, by way of amendment, That all the words following the word "Because," at the commencement, be omitted, with a view to the insertion in their place of the words, "such arrangements as have been made by" either the Imperial Government or that of New South Wales, seem calculated to "establish the Metropolitan predominance of the County of Stanley and Town of Brisbane,—a predominance which is not justified by natural advantages, and is "opposed to the interests of the Districts further North."

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

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

The House divided.

Ayes, 27.		Noes, 24.	
Mr. Lyons,	Mr. Hurley,	Mr. Cowper,	Mr. Richardson,
Mr. Walsh,	Mr. Plunkett,	Mr. Robertson,	Mr. McArthur,
Mr. Morris,	Mr. Elliott,	Mr. Weekes,	Mr. Close,
Mr. Nott,	Mr. Jenkins,	Mr. Bayley,	Mr. Hodgson,
Mr. Hamilton,	Mr. Murray,	Mr. Hargrave,	Mr. Irving,
Mr. Russell,	Mr. Oxley,	Mr. Douglas,	Rev. Dr. Lang,
Mr. Hart,	Mr. Roberts,	Mr. Flett,	Mr. Gray,
Mr. Laidlaw,	Mr. Parkes,	Mr. Rotton,	Mr. Mort,
Mr. Loder,	Mr. Scott,	Mr. Wilson,	Mr. Black,
Mr. Windeyer,	Mr. Hay,	Mr. Jones,	Mr. Macalister,
Mr. Forster,	Mr. Piddington,	Mr. Oakes,	} Tellers.
Mr. Macleay,	Mr. Darvall,	Mr. Atkinson,	
Mr. Cummings,	Mr. Clements,	Mr. Dickson,	
Mr. Hieronimus,		Mr. Jamison,	

Whereupon, Question as amended, and with the substitution of the word "That" for "Because" at the commencement,—

(2) That such arrangements as have been made by either the Imperial Government or that of New South Wales, seem calculated to establish the Metropolitan predominance of the County of Stanley and Town of Brisbane,—a predominance which is not justified by natural advantages, and is opposed to the interests of the Districts further North,—put and passed.

Section (3) by leave withdrawn.

Motion made by Mr. Plunkett, and Question,—That the Question be further amended by the insertion after Section (2) of the Section following,—

"(3) That the waste lands of the Crown within the limits of the proposed new Colony, would still continue to be vested in the Legislature of New South Wales, "by virtue of the Constitution Act, there being no power or authority reserved "therein to Her Majesty, either to resume or transfer the same,"—put and negatived.

Motion made by Mr. Plunkett, and Question, That the Question be further amended by the insertion after Section (2) of the Section following,—

"(3) That the creation of a separate and independent Government, as proposed, "without the sanction of the Parliament of New South Wales, is, in such a state of "circumstances, calculated to be productive of ill feeling and dissension, between the "proposed new Colony and New South Wales,"—put and negatived.

Whereupon Question put; (3) That an Address be presented to the Governor General, praying that His Excellency will be pleased to transmit a copy of the foregoing Resolutions to Her Majesty's Principal Secretary of State for the Colonies.

The House divided.

Ayes,

## Ayes, 29.

Mr. Lyons,	Mr. Plunkett,	
Mr. Walsh,	Mr. Hurley,	
Mr. Hamilton,	Mr. Murray,	
Mr. Clements,	Mr. Dickson,	
Mr. Russell,	Mr. Hutton,	
Mr. Hart,	Mr. Roberts,	
Mr. Laidlaw,	Mr. Parkes,	
Mr. Loder,	Mr. Oxley,	
Mr. Windeyer,	Mr. Scott,	
Mr. Foster,	Mr. Hay,	
Mr. Macleay,	Mr. Piddington,	
Mr. Cummings,	Mr. Darvall,	} Tellers.
Mr. Hieronimus,	Mr. Morris,	
Mr. Jenkins,	Mr. Nott,	
Mr. Elliott,		

## Noes, 22.

Mr. Cowper,	Mr. Jones,	
Mr. Robertson,	Mr. Oakes,	
Mr. Weekes,	Mr. Atkinson,	
Mr. Bayley,	Mr. Richardson,	
Mr. Hargrave,	Mr. McArthur,	
Mr. Douglas,	Mr. Close,	
Mr. Black,	Mr. Irving,	
Mr. Macalister,	Rev. Dr. Lang,	
Mr. Flett,	Mr. Gray,	
Mr. Jamison,	Mr. Mort,	} Tellers.
Mr. Wilson,	Mr. Hodgson,	

## 8. Postponements:—

- (1.) Mr. Parkes postponed the motion standing in his name, first on the Notice Paper for to-day, until Tuesday next.
- (2.) Mr. Jones postponed the motion standing in the name of Mr. Garrett second on the Notice Paper for to-day, until Friday next.
- (3.) Mr. Windeyer postponed the motion standing in his name third on the Notice Paper for to-day, until Tuesday next.
- (4.) Mr. Morris postponed the motion standing in the name of Mr. Mort fourth on the Notice Paper for to-day, until Tuesday next.

## 9. Crown Lands and Public Improvements in the Clarence District:—Mr. Clark Irving moved, pursuant to amended notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of all Moneys derived from the Sale and Leases of Crown Lands in the District of the Clarence since the date of the introduction of Responsible Government in New South Wales; distinguishing the Sales and Leases in the Town of Grafton; the Police District of Grafton, and the District of the Richmond; and also a Return shewing the amount expended in Public Improvements in each locality.

Question put and passed.

## 10. Motions dropped:—

- (1.) Mr. Clark Irving not moving the motion standing in his name sixth on the Notice Paper for to-day, it dropped.
- (2.) Mr. Cummings not moving the motion standing in his name seventh on the Notice Paper for to-day, it dropped.
- (3.) Mr. Asher not moving the motion standing in his name eighth on the Notice Paper for to-day, it dropped.

## 11. Postponements:—

- (1.) Mr. Jones postponed the motion standing in the name of Mr. Garrett ninth on the Notice Paper for to-day, until Friday next.
- (2.) Mr. Morris postponed the motion standing in the name of Mr. Macleay tenth on the Notice Paper for to-day, until next Friday week.

## 12. Moreton Bay share of Public Debt:—Mr. Darvall moved, pursuant to notice, That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the Legislature of New South Wales,—

(1.) Because the Colony of New South Wales, as at present constituted, is entitled to the undivided Crown Lands, and to the Territorial Revenue of the Colony which is a portion of the security for the Public Debt and Civil List of the Colony; and no change in the position of the public creditor or debtor in reference to that security can lawfully be made without the concurrence of the Legislature who represent the latter, and are bound to protect the former.

(2.) Because the payment of the Debt and Civil List of the Colony, and the administration of the security on which they rest, are matters of local concern only, with which the Local Legislature alone can deal.

(3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a copy of the foregoing Resolutions to be transmitted to Her Majesty's Principal Secretary of State for the Colonies;—

Whereupon motion made by Mr. Cowper, and Question,—That the Debate of this Question be adjourned until Friday next,—put and passed.

## 13. Postponements:—

- (1.) Mr. Murray postponed the motions standing in his name twelfth and thirteenth on the Notice Paper for to-day, until this day week.

## 14. Motion withdrawn:—Mr. Russell withdrew the motion standing in his name fourteenth on the Notice Paper for to-day.

## 15. Correspondence with Officers appointed under District Courts Act of 1858:—Mr. Plunkett moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Returns, viz.:—

- (1.) All Correspondence between the Government and the several District Judges, Crown Prosecutors, and Clerks of the Peace, since the month of March last, and all letters or other documents from the District Judges previous to that period, and which were omitted in the Return laid on the Table of the late House of Assembly, on the 29th March last.

- (2.) A nominal list of all the Officers of the District Courts and Quarter Sessions, with the dates of their appointments, and all instructions issued to each respectively.  
Question put and passed.
16. Motion dropped:—Mr. Broughton not moving the motion standing in his name sixteenth on the Notice Paper for to-day, it dropped.
17. St. Andrew's College Bill:—Mr. Hay moved, pursuant to notice, for leave to bring in a Bill for the Incorporation of St. Andrew's College.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
18. Postponements:—  
(1.) Mr. Morris postponed the motion standing in his name eighteenth on the Notice Paper for to-day, until next Friday week.  
(2.) Mr. Plunkett postponed the motion standing in his name nineteenth on the Notice Paper for to-day, until this day week.  
(3.) Mr. Hay postponed the motion standing in his name twentieth on the Notice Paper for to-day, until Thursday next.  
(4.) Mr. Oakes postponed the motion standing in the name of Mr. Byrnes twenty-first on the Notice Paper for to-day, until Friday next.
19. Proposed Standing Orders:—Mr. Cowper moved, pursuant to *amended* notice, That the further consideration in Committee of the proposed Standing Orders, which lapsed by the House being counted out on the 28th ultimo, be restored to the Paper, and stand an Order of the Day for Friday next.  
Question put and passed.
20. Postponements:—  
(1.) The resumption of the adjourned Debate on the Revd. Dr. Lang's motion, "That the Duration of Legislative Assemblies Limitation Bill, be now read a second time," postponed, on motion of Mr. Parkes, until next Friday week.  
(2.) The consideration in Committee of an Address for funds for the conveyance of Immigrants to Maryborough postponed, on motion of Mr. Walsh, until Friday next.
21. Sydney Corporation Elections Amendment Bill, on motion of Mr. Cowper, read a third time, and *passed*.  
Mr. Cowper then moved, That the Title of this Bill be "*An Act to remove doubts as to the Election of Aldermen for the City of Sydney.*"  
Question put and passed;—  
Whereupon Mr. Cowper moved, That this Bill be carried to the Legislative Council, with the following Message:—  
**MR. PRESIDENT,**  
The Legislative Assembly having this day passed a Bill, intituled, "*An Act to remove doubts as to the Election of Aldermen for the City of Sydney,*" presents the same to the Legislative Council for its concurrence.  
*Legislative Assembly Chamber,*  
*Sydney, 5 October, 1859.* Speaker.  
Question put and passed.  
The House adjourned at ten minutes after One o'clock A.M., until Three o'clock P.M., to day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, OCTOBER 5.

### GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. Mr. WEEKES to move, That this House do now resolve itself into a Committee of the whole, to consider the Estimates, and Supplementary Estimate, for the year 1859-60.
2. Mr. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

### ORDERS OF THE DAY:—

1. Public Education Bill; second reading.
2. Sydney Necropolis Act Repeal Bill; second reading.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. Mr. SAMUEL to move, That the Petition of J. C. Prost, Vice-Consul for the Netherlands, presented by him on the 4th instant, be printed.
2. Mr. WALSH to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence, during the two past years, between the Executive Government and the Government Resident of Gladstone, any officer or officers of the Native Police, or any other person or persons, having reference to complaints against the Native Police in the Districts of Maranoa, Burnett and Wide Bay, Port Curtis and Leichhardt.
3. Mr. CLEMENTS to move, That the Petition of certain Inhabitants of Bathurst, relative to the Queen Charlotte Vale Road, presented by him on the 4th instant, be printed.

*Questions:—*

**Questions :—**

1. **MR. CLEMENTS to ask THE SECRETARY FOR LANDS,**—Whether it is the intention of the Government to take the necessary steps for the erection of Post Offices with Telegraphic Office attached, at Bathurst, Maitland, Goulburn, and Albury respectively, and if so, when such buildings are to be commenced?
2. **MR. PLUNKETT to ask THE ATTORNEY GENERAL,**—in reference to a motion made and passed on the 8th of April last, to the following effect, "That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Regulations promulgated by the Government for the preparation of Jury Lists in the several Districts in which District Courts are to be held,"—Why this Return has not been since forthcoming?
3. **MR. FORSTER to ask THE COLONIAL SECRETARY,**—Is it intended by the Government to introduce, during the present Session, measures for any, and, if any, for which of the objects specified below, namely,—
  - (1.) Reduction of official Salaries as fixed by Schedule A of the Constitution Act?
  - (2.) Amendment of the Municipalities Act?
  - (3.) Amendment of the Electoral Laws, particularly in relation to proceedings at Elections, and registration and identification of voters?
  - (4.) Regulation of Chinese or other Immigration?
  - (5.) Abolition or reduction of the duty upon exported Gold?
  - (6.) Amendment of the Customs Laws, particularly in relation to the substitution of a Tonnage Duty upon Vessels, for all or some of the Duties at present imposed upon imported articles?
4. **MR. LAYCOCK to ask THE SECRETARY FOR LANDS,**—Whether it is the intention of the Government to make special provision in the new Land Bill, for the conservation of the Cedar Lands of the Colony,—and the prevention of injury to Timber Trees from the denudation of their bark?

**THURSDAY, OCTOBER 6.****GOVERNMENT BUSINESS—NOTICE OF MOTION :—**

1. **MR. WEEKES to move,** That this House do now resolve itself into a Committee of the whole, to consider of the Ways and Means, to meet the Supply granted to Her Majesty.

**ORDER OF THE DAY :—**

1. Resumption of the adjourned Debate on Mr. Bayley's motion, "That the New Trial Motion Bill be now read a second time."

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. **MR. DARK to move,**—
  - (1.) That in consequence of the great expense to be incurred in the carriage of Colonial timber to local markets, the importation of timber into this Colony from the United States, Great Britain, and other European States, amounting in the aggregate to nearly four hundred thousand pounds per annum, is injurious to the interests of the Colonists generally, but more especially to the interests of those engaged in sawing Colonial timber.
  - (2.) That the importation, free of duty, of turnery, furniture, and other woodware manufactured in the State Prisons of America, by American criminals, is impolitic, as repressive of skill and industry in the free mechanics of this Colony.
  - (3.) That Colonial skill and industry ought to be freed from this discouragement, by the imposition of a duty on importations of the kind referred to, and by the abolition of the fee heretofore exacted for licenses to cut timber.
  - (4.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.
2. **MR. HAY to move,** That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence which has taken place with the Government, in connection with an application of the Chief Justice for leave of absence.

**Question :—**

1. **MR. DARK to ask THE COLONIAL SECRETARY,**—If, in the event of the Duties on Tea and Sugar being reduced or abolished, it is the intention of Government to introduce a Bill imposing an Income and Property Tax?

**FRIDAY, OCTOBER 7.****OTHER BUSINESS—NOTICES OF MOTION :—**

1. **MR. MARTIN to move the following Resolutions,**—
  - (1.) That the chief advantage which Governments are able to afford is a pure and efficient administration of justice.
  - (2.) That such purity and efficiency cannot be reasonably expected where the higher appointments connected with such administration are conferred upon persons, not with reference to their fitness, but for the purpose of promoting the party views of the Government appointing them.
  - (3.) That, in several instances of late, appointments have been so made, and under circumstances such as to justify the most serious apprehension of danger to the public interests.

(4.)

- (4.) That the conduct of His Excellency's present Advisers in recommending such appointments, and otherwise in reference to the administration of justice, has been such as to call for the marked condemnation of this House.
- (5.) That an Address, embodying the foregoing Resolutions, be presented to His Excellency the Governor General.
2. MR. SCOTT to move,—
1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board.
    - (2.) Upon the operation of the present system of Tonnage Dues; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
3. DR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd instant, be now taken into consideration.
4. MR. PLUNKETT to move, That the Petition of the Honorable James Macarthur, Esquire, and Sir William Macarthur, relative to the Public Education Bill, presented by him on the 4th instant, be printed.
5. MR. GARRETT to move, for leave to bring in a Bill to authorise the completion of a Tram-road from the Mount Keira Coal Mines to Wollongong Harbour.
6. MR. GARRETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing all Lands sold in the Nowra and Good Dog Municipality, setting forth the names of each purchaser, the date of the transaction, the extent of, and price paid for each lot, at per acre or otherwise; and, if any has been granted, for what service.
7. MR. BYRNES to move for leave to bring in a Bill for the Incorporation of Wesley College.

#### ORDERS OF THE DAY :—

1. Resumption of the adjourned Debate of Mr. Darvall's motion, "That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the Legislature of New South Wales,—
  - "(1.) Because the Colony of New South Wales, as at present constituted, is entitled to the undivided Crown Lands, and to the Territorial Revenue of the Colony, which is a portion of the security for the Public Debt and Civil List of the Colony; and no change in the position of the Public Creditor or Debtor in reference to that security can lawfully be made without the concurrence of the Legislature who represent the latter, and are bound to protect the former.
  - "(2.) Because the payment of the Debt and Civil List of the Colony, and the administration of the security on which they rest, are matters of local concern only, with which the Local Legislature alone can deal.
  - "(3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a copy of the foregoing Resolutions to be transmitted to Her Majesty's Principal Secretary of State for the Colonies."
2. Proposed Standing Orders; to be further considered in Committee.
3. Conveyance of Immigrants to Maryborough; consideration in Committee of an Address for Funds.

TUESDAY, OCTOBER 11.

#### Contingent Notice of Motion :—

1. MR. HODGSON to move, as an amendment on Mr. Parkes' motion,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

#### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move, That in consideration of the eminent services of William Charles Wentworth, formerly, and for many years, one of the representatives of the City of Sydney, in obtaining Free Institutions for the Colony, this House gives authority for the Portrait of that gentleman, painted in testimony of the respect entertained for his public character by a number of his fellow colonists, to be permanently placed on the walls of its hall of meeting.
2. MR. MACARTHUR to move,—
  - (1.) That, in the opinion of this House, the value and importance of the Fijian Islands, from their geographical position—their vast natural resources—their peculiar adaptation for the growth of the cotton of commerce—the capacity of their inhabitants to appreciate and embrace the advantages of civilization—and their political and commercial relations to this Colony; render it highly desirable that they should become the possession of the British Crown.

(2.)

- (2.) That the proposal made by the Principal Chief to cede the Sovereignty of the Fijis to Great Britain offers a favorable opportunity to effect this object.
3. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows:—
- (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
- (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
- (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
- (4.) That any opinion herein expressed is not intended to apply to the movements of Her Majesty's ships of war in the Australian waters.
- (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
4. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, Copies of the Depositions in the case of one Mrs. Williamson and her Son, tried at Parramatta, on the 17th May last, before H. Cary, Esq., District Court Judge; also the Depositions in the case of one Mrs. Peckman, tried at the same place, and at the same Sessions; together with all Correspondence and Memoranda between the Attorney General and Mr. Meymott, the Crown Prosecutor, with reference to placing those persons on their trial.
5. MR. MORT to move for leave to bring in a Bill to make perpetual the Act known as "The Lien on Wool Act."
6. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all persons sentenced to imprisonment or hard labour in this Colony during the last ten years, stating the circumstances under which they were convicted, the judgments awarded in each case, the names of those whose sentences have been since commuted, the nature and extent of such commutations, the Minutes of the Executive Council awarding them, and the names of the persons on whose recommendation, or at whose solicitation, such commutations were made.
7. MR. MURRAY to move,—
- (1.) That a Select Committee be appointed to inquire into the state of Unproclaimed or Unsurveyed Roads in this Colony.
- (2.) That such Committee consist of Mr. Clements, Mr. Lord, Mr. Samuel, Mr. Macleay, Mr. Robertson, Mr. Laidlaw, Mr. Hurley, Mr. Ryan, Mr. Handcock, and the Mover.
8. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
- (1.) A nominal list of all the Members of the Executive Council since the introduction of Responsible Government.
- (2.) Whether any of such Members ceased to belong to the said Executive Council—at what time—and whether by resignation or otherwise.
- (3.) A nominal list of the Members of the said Executive Council who have been, or are regularly summoned to the sittings thereof, stating the period during which they have been so summoned.
- (4.) Also, specifying those Members who have not been regularly, or are not now so summoned,—and at what time summonses ceased to be sent to each of such Members.
- (5.) All opinions given by the Crown Law Officers on the question whether any other than the Ministers for the time being belong to the said Executive Council, or on any question of a similar nature.
- (6.) The Despatches from the Home Government, and any other Documents relating to the resignation or holding of seats, in the Executive Council.

ORDER OF THE DAY:—

1. Revenue and Audit Bill; second reading.

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WEDNESDAY, OCTOBER 12.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Judges' Pensions Bill; second reading.

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THURSDAY, OCTOBER 13.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Public Worship Bill; second reading.

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FRIDAY,

FRIDAY, OCTOBER 14.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MORRIS to move for leave to bring in a Bill to prohibit the importation of sheep, cattle, or other animals, for the purpose of preventing the introduction of contagious or infectious disorders.
2. DR. LANG to move for leave to bring in a Bill to amend an Act to establish and incorporate a Company, to be called the Moreton Bay Immigration and Land Company.
3. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.
4. MR. MACLEAY to move, That there be laid upon the Table of this House, a Return shewing,—
  - (1.) The population and area in square miles of each Police District of the Colony, with the number of Police in each during the year 1859, and the number proposed for 1860.
  - (2.) The number of cases tried, and the amount of fees and fines, at the Courts of Petty Sessions in each Police District during the year 1858, and the first nine months of 1859.
5. MR. MORRIS to move, That there be laid upon the Table of this House, any correspondence between the Government and its Law Advisers relative to the right of the Aboriginal Natives to exercise the elective franchise.

ORDER OF THE DAY:—

1. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill be now read a second time."

THURSDAY, OCTOBER 27.

GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Crown Lands Sales Bill ; second reading.
2. Crown Lands Occupation Bill ; second reading.
3. Leased Lands Occupation Bill ; second reading. ,

DANIEL COOPER,  
*Speaker.*



No. 21.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

WEDNESDAY, 5 OCTOBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
St. Andrew's College Bill:—Mr. Hay having *presented* this Bill, and produced a certificate that the sum of twenty-five pounds had been paid to the credit of the Consolidated Revenue, Bill intituled, "*A Bill for the Incorporation of St. Andrew's College,*" read a first time.
2. Mr. William Sutherland:—Mr. Wilson presented a Petition from William Sutherland, of Braidwood, Gentleman, representing certain losses sustained by him in consequence of his having purchased the fee simple of certain Land at Minto, granted to one Isaac Knight, in 1831, which he subsequently found to have been granted to himself, in 1810, and praying redress.  
Petition received.
3. Public Education:—Mr. Cape presented a Petition from certain Teachers of Public Schools, praying that all Public Teachers be held directly responsible to a Board of Public Education; that the interests of Education be entrusted to a Board of permanent character; that the position and duties of Public Teachers be specifically defined; and that no person be appointed an Inspector who has not acquired practical experience in the conduct of Primary Schools.  
Petition received.
4. Paper:—Mr. Cowper laid upon the Table the Registrar General's Report on the Registration of Births, Deaths, and Marriages, for the year 1858.  
Ordered to be printed.
5. Police Regulation Act Amendment Bill:—Mr. Forster having *presented* this Bill, Bill intituled, "*A Bill to amend 'An Act for the Regulation of the Police Force,'*" read a first time; ordered to be printed, and read a second time on Tuesday next.
6. Paper:—Mr. Weekes laid upon the Table Return to the Order, in reference to Customs Duties collected at Newcastle and Morpeth, made by this House, on motion of Mr. Close, on the 23rd ultimo.  
Ordered to be printed.
7. Pitt-street Tramway:—Mr. Samuel moved, without previous notice, That there be laid upon the Table of this House,—  
(1.) Copies of all Plans, Sections, and Estimates, which may have been made, under the authority of the Railway Department, of the proposed extension of the Great Southern Railway from the Terminus at Redfern to Hyde Park  
(2.) Copies of all Plans, Sections, and Estimates of the proposed Tramway, from the Great Southern Railway Terminus at Redfern to the Circular Quay, and of any other Lines which may have been surveyed for the purpose of extending the said Railway through the City of Sydney.  
Question put and passed.
8. Supply:—On motion of Mr. Weekes, pursuant to notice, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, to consider the Estimates and Supplementary Estimate for the year 1859–60.  
The Chairman obtained leave to sit again on Wednesday next, and reported the following Resolutions,—  
(1.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,406, to defray the salaries and contingencies of His Excellency the Governor General's Establishment, for the year 1860.  
(2.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,012, to defray the salaries and contingencies of the Executive Council Establishment, for the year 1860.  
Mr. Weekes moved, That this House do now adopt these Resolutions.  
Question put and passed.
9. Railway Fares:—Mr. Atkinson presented a Petition from certain Landed Proprietors and Residents of the County of Cumberland, in public meeting assembled, complaining of the high rate of charge for Passengers and Goods by Railway, and praying the House to call for all Correspondence, Reports, and Minutes, having reference to the various efforts made to have that rate reduced.  
Petition received.
10. Postponement:—Mr. Robertson postponed the motion standing in his name second on the Notice Paper of Government Business for to-day, until this day week.

11. *Public Education Bill* :—Mr. Cowper moved, That this Bill be "now" read a second time.  
Mr. Murray moved, That the Question be amended by the omission of the word "now," with a view to add at the end the words, "this day six months."

Debate ensued.

Mr. McArthur moved, That this Debate be now adjourned until this day month.

Debate continued.

Question put, on the motion for adjournment of the Debate until this day month.

The House divided.

Ayes, 25.		Noes, 29.	
Mr. Cowper,	Mr. Loder,	Mr. Martin,	Mr. Parkes,
Mr. Bayley,	Mr. Jones,	Mr. Murray,	Mr. Russell,
Mr. Robertson,	Mr. Oakes,	Mr. Morris,	Mr. Forster,
Mr. Weekes,	Mr. Laidlaw,	Mr. Jenkins,	Mr. Macleay,
Mr. Hargrave,	Mr. Asher,	Mr. Walsh,	Mr. Hurley,
Mr. Douglas,	Mr. Close,	Mr. Dark,	Mr. Clements,
Mr. Flett,	Mr. G. Lang,	Mr. Hieronimus,	Mr. Nott,
Mr. Black,	Mr. Pemell,	Mr. Cummings,	Mr. Hay,
Mr. Byrnes,	Mr. Campbell,	Mr. Cape,	Mr. Oxley,
Mr. Wilson,	Mr. Dickson,	Mr. Hamilton,	Mr. Plunkett,
Mr. Cooper,	Mr. Rotton,	Mr. Mort,	Mr. Piddington,
Mr. Atkinson,	Mr. McArthur.	Mr. Sayers,	Mr. Elliott,
Mr. Jamison,		Mr. Windeyer,	Mr. Samuel,
		Mr. Hart,	Mr. Broughton.
		Mr. Scott,	

} Tellers.

} Tellers.

Debate continued.

Motion made by Mr. Rotton, and Question, That this House do now adjourn,—put and negatived.

Mr. Black then moved, That this Debate be now adjourned until "to-morrow."

Mr. McArthur moved, That the Question for adjournment of the Debate be amended by the omission of the word "to-morrow," with a view to the insertion in its place of the words "this day week."

Question put, That the word proposed to be omitted stand part of the Question for adjournment of the Debate.

The House divided.

Ayes, 28.		Noes, 30.	
Mr. Morris,	Mr. Plunkett,	Mr. Cowper,	Mr. Asher,
Mr. Hamilton,	Mr. Macleay,	Mr. Robertson,	Mr. Walsh,
Mr. Nott,	Mr. Oxley,	Mr. Bayley,	Mr. Oakes,
Mr. Cummings,	Mr. Hurley,	Mr. Weekes,	Mr. Jamison,
Mr. Samuel,	Mr. Martin,	Mr. Russell,	Mr. Cooper,
Mr. Clements,	Mr. Roberts,	Mr. Hargrave,	Mr. Laycock,
Mr. Parkes,	Mr. Dark,	Mr. Jenkins,	Mr. Flett,
Mr. Hart,	Mr. Murray,	Mr. Douglas,	Mr. Garrett,
Mr. Cape,	Mr. Hay,	Mr. Loder,	Mr. Pemell,
Mr. Hodgson,	Mr. Black,	Mr. Sayers,	Mr. Byrnes,
Mr. Hieronimus,	Mr. Piddington,	Mr. Wilson,	Mr. Dickson,
Mr. Elliott,	Mr. Forster,	Mr. Rotton,	Mr. Campbell,
Mr. Scott,	Mr. Windeyer,	Mr. Atkinson,	Rev. Dr. Lang,
Mr. Broughton,	Mr. Close.	Mr. Jones,	Mr. Mort,
		Mr. Laidlaw,	Mr. McArthur.

} Tellers.

} Tellers.

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

The House divided.

Ayes, 30.		Noes, 29.	
Mr. Cowper,	Mr. Asher,	Mr. Robertson,	Mr. Hodgson,
Mr. Bayley,	Mr. Walsh,	Mr. Piddington,	Mr. Roberts,
Mr. Weekes,	Mr. Jamison,	Mr. Murray,	Mr. Scott,
Mr. Hargrave,	Mr. Oakes,	Mr. Nott,	Mr. Morris,
Mr. Russell,	Mr. Jenkins,	Mr. Clements,	Mr. Hart,
Mr. Mort,	Mr. Pemell,	Mr. Hamilton,	Mr. Black,
Mr. McArthur,	Mr. Laycock,	Mr. Cummings,	Mr. Hay,
Mr. Douglas,	Mr. Flett,	Mr. Martin,	Mr. Oxley,
Mr. Rotton,	Mr. Garrett,	Mr. Parkes,	Mr. Macleay,
Mr. Loder,	Rev. Dr. Lang,	Mr. Cape,	Mr. Elliott,
Mr. Macalister,	Mr. Byrnes,	Mr. Samuel,	Mr. Close,
Mr. Atkinson,	Mr. Campbell,	Mr. Windeyer,	Mr. Plunkett,
Mr. Sayers,	Mr. Dickson,	Mr. Hieronimus,	Mr. Forster,
Mr. Laidlaw,	Mr. Wilson,	Mr. Hurley,	Mr. Dark.
Mr. Jones,	Mr. Cooper.	Mr. Broughton,	

} Tellers.

} Tellers.

Whereupon Amended Question put,—That this Debate be now adjourned until this day week.

The House divided.

Ayes, 30.		Noes, 29.	
Mr. Cowper,	Mr. Walsh,	Mr. Robertson,	Mr. Hart,
Mr. Bayley,	Mr. Asher,	Mr. Piddington,	Mr. Black,
Mr. Weekes,	Mr. Jones,	Mr. Murray,	Mr. Hay,
Mr. Hargrave,	Mr. Flett,	Mr. Cummings,	Mr. Oxley,
Mr. Russell,	Mr. Jamison,	Mr. Hamilton,	Mr. Macleay,
Mr. Mort,	Mr. Oakes,	Mr. Clements,	Mr. Elliott,
Mr. McArthur,	Mr. Jenkins,	Mr. Martin,	Mr. Close,
Mr. Douglas,	Mr. Pemell,	Mr. Forster,	Mr. Plunkett,
Mr. Rotton,	Mr. Laycock,	Mr. Parkes,	Mr. Hodgson,
Mr. Cooper,	Mr. Laidlaw,	Mr. Samuel,	Mr. Broughton,
Mr. Wilson,	Mr. Garrett,	Mr. Cape,	Mr. Hurley,
Mr. Loder,	Rev. Dr. Lang,	Mr. Windeyer,	Mr. Roberts,
Mr. Macalister,	Mr. Campbell,	Mr. Hieronimus,	Mr. Dark,
Mr. Atkinson,	Mr. Byrnes,	Mr. Scott,	Mr. Nott.
Mr. Sayers,	Mr. Dickson.	Mr. Morris,	

} Tellers.

} Tellers.

12. Postponement :—The second reading of the Sydney Necropolis Act Repeal Bill postponed, on motion of Mr. Robertson, until to-morrow.
  13. Freight on Railway Chains and Keys, per "Madura":—Mr. Samuel moved, pursuant to notice, That the Petition of J. G. Prost, Vice-Consul for the Netherlands, presented by him on the 4th instant, be printed.  
Question put and passed.  
Ordered to be printed.
  14. Complaints against the Native Police :—Mr. Walsh moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence, during the two past years, between the Executive Government and the Government Resident of Gladstone, any officer or officers of the Native Police, or any other person or persons, having reference to complaints against the Native Police in the Districts of Maranoa, Burnett and Wide Bay, Port Curtis and Leichhardt.  
Question put and passed.
  15. Queen Charlotte Vale Road :—Mr. Clements moved, pursuant to notice, That the Petition of certain Inhabitants of Bathurst, relative to the Queen Charlotte Vale Road, presented by him on the 4th instant, be printed.  
Question put and passed.  
Ordered to be printed.
- The House adjourned at ten minutes after Eleven o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, OCTOBER 6..

### GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. WEEKES to move, That this House do now resolve itself into a Committee of the whole, to consider of the Ways and Means, to meet the Supply granted to Her Majesty.

### ORDERS OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Bayley's motion, "That the New Trial Motion Bill be now read a second time."
2. Sydney Necropolis Act Repeal Bill; second reading.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. DARK to move,—
  - (1.) That in consequence of the great expense to be incurred in the carriage of Colonial timber to local markets, the importation of timber into this Colony from the United States, Great Britain, and other European States, amounting in the aggregate to nearly four hundred thousand pounds per annum, is injurious to the interests of the Colonists generally, but more especially to the interests of those engaged in sawing Colonial timber.
  - (2.) That the importation, free of duty, of turnery, furniture, and other woodware manufactured in the State Prisons of America, by American criminals, is impolitic, as repressive of skill and industry in the free mechanics of this Colony.
  - (3.) That Colonial skill and industry ought to be freed from this discouragement, by the imposition of a duty on importations of the kind referred to, and by the abolition of the fee heretofore exacted for licenses to cut timber.
  - (4.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.
2. MR. HAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence which has taken place with the Government, in connection with an application of the Chief Justice for leave of absence.
3. MR. ROTTON to move, That there be laid upon the Table of this House,—
  - (1.) A copy of the original (or modified, if any,) conditions of Tender for the erection of the line of Telegraph from Parramatta to Bathurst.
  - (2.) Copies of all Contracts entered into for the performance of the work.
  - (3.) Copies of Reports of authorised Inspectors or Superintendents as to the progress of the work.
  - (4.) Any correspondence with the Government relating to said Contracts.
4. MR. CAPE to move, That the Petition of certain Public Teachers, relative to Public Education, presented by him on the 5th instant, be printed.
5. MR. BROUGHTON to move, That the Petition of the Mayor and Aldermen of the Municipal Council of the City of Sydney be printed, and referred to the Select Committees appointed to inquire into the working of the Sydney Municipal Council.
6. MR. ATKINSON to move, That the Petition relative to the Fares on the Great Southern Line of Railway, presented by him on the 5th instant, be printed.

### Questions :—

1. MR. DARK to ask THE COLONIAL SECRETARY,—If, in the event of the Duties on Tea and Sugar being reduced or abolished, it is the intention of Government to introduce a Bill imposing an Income and Property Tax?
2. MR. HIERONIMUS to ask THE ATTORNEY GENERAL,—If he is aware that Wellington has been omitted from the list of places where Courts of Quarter Sessions are to be holden, and if it is his intention to remedy the omission?

3. MR. HAY to ask THE COLONIAL TREASURER,—What has been the decision of the Executive Council with respect to the seizure of the "Lady Augusta" Steamer and cargo, and the fines imposed on the Master and Supercargo; and what has been the reason of the remission by the Council, if such remission has taken place, of the forfeitures and fines?
4. MR. HAY to ask THE COLONIAL SECRETARY,—Whether it is proposed that the Attorney General should retain his seat in the Cabinet, he being now a subordinate Officer responsible to the Colonial Secretary?
5. MR. ATKINSON to ask THE SECRETARY FOR LANDS,—How it is that although the steamer "Corio" arrived at Glenelg at 8 A.M. this day, with the mails ex "Benares," up to 3 P.M. no Messages from Adelaide direct have been received in Sydney?

FRIDAY, OCTOBER 7.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MARTIN to move the following Resolutions,—
  - (1.) That the chief advantage which Governments are able to afford is a pure and efficient administration of justice.
  - (2.) That such purity and efficiency cannot be reasonably expected where the higher appointments connected with such administration are conferred upon persons, not with reference to their fitness, but for the purpose of promoting the party views of the Government appointing them.
  - (3.) That, in several instances of late, appointments have been so made, and under circumstances such as to justify the most serious apprehension of danger to the public interests.
  - (4.) That the conduct of His Excellency's present Advisers in recommending such appointments, and otherwise in reference to the administration of justice, has been such as to call for the marked condemnation of this House.
  - (5.) That an Address, embodying the foregoing Resolutions, be presented to His Excellency the Governor General.
2. MR. SCOTT to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board.
    - (2.) Upon the operation of the present system of Tonnage Dues; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
3. DR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd ultimo, be now taken into consideration.
4. MR. PLUNKETT to move, That the Petition of the Honorable James Macarthur, Esquire, and Sir William Macarthur, relative to the Public Education Bill, presented by him on the 4th instant, be printed.
5. MR. GARRETT to move, for leave to bring in a Bill to authorise the completion of a Tramroad from the Mount Keira Coal Mines to Wollongong Harbour.
6. MR. GARRETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing all Lands sold in the Nowra and Good Dog Municipality, setting forth the names of each purchaser, the date of the transaction, the extent of, and price paid for each lot, at per acre or otherwise; and, if any has been granted, for what service.
7. MR. BYRNES to move for leave to bring in a Bill for the Incorporation of Wesley College.
8. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimate for the year 1859 the sum of £50,000, for the repairs of Roads and Bridges, and erection of new Bridges, in the Western District.
9. MR. WILSON to move,—
  - (1.) That the Petition of William Sutherland, presented by him on the 5th instant, be printed, and referred to a Select Committee to report thereon; with power to send for persons and papers.
  - (2.) That such Committee consist of Mr. Murray, Mr. Jones, Mr. Douglas, Mr. Laidlaw, Mr. G. Lang, Mr. Pemell, Mr. Parkes, Mr. Laycock, Mr. Gray, and the Mover.

ORDERS OF THE DAY:—

1. Resumption of the adjourned Debate of Mr. Darvall's motion, "That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the Legislature of New South Wales,—
  - (1.) Because the Colony of New South Wales, as at present constituted, is entitled to the undivided Crown Lands, and to the Territorial Revenue of the Colony, which is

- "a portion of the security for the Public Debt and Civil List of the Colony; and no change in the position of the Public Creditor or Debtor in reference to that security can lawfully be made without the concurrence of the Legislature who represent the latter, and are bound to protect the former.
- "(2.) Because the payment of the Debt and Civil List of the Colony, and the administration of the security on which they rest, are matters of local concern only, with which the Local Legislature alone can deal.
- "(3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a copy of the foregoing Resolutions to be transmitted to Her Majesty's Principal Secretary of State for the Colonies."
2. Proposed Standing Orders; to be further considered in Committee.
  3. Conveyance of Immigrants to Maryborough; consideration in Committee of an Address for Funds.

TUESDAY, OCTOBER 11.

*Contingent Notice of Motion :—*

1. MR. HODGSON to move, *as an amendment on Mr. Parkes' motion*,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share, in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

*OTHER BUSINESS—NOTICES OF MOTION :—*

1. MR. PARKES to move, That in consideration of the eminent services of William Charles Wentworth, formerly, and for many years, one of the representatives of the City of Sydney, in obtaining Free Institutions for the Colony, this House gives authority for the Portrait of that gentleman, painted in testimony of the respect entertained for his public character by a number of his fellow colonists, to be permanently placed on the walls of its hall of meeting.
2. MR. McARTHUR to move,—
  - (1.) That, in the opinion of this House, the value and importance of the Fijian Islands, from their geographical position—their vast natural resources—their peculiar adaptation for the growth of the cotton of commerce—the capacity of their inhabitants to appreciate and embrace the advantages of civilization—and their political and commercial relations to this Colony, render it highly desirable that they should become the possession of the British Crown.
  - (2.) That the proposal made by the Principal Chief to cede the Sovereignty of the Fijis to Great Britain offers a favorable opportunity to effect this object.
3. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows:—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the movements of Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
4. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, Copies of the Depositions in the case of one Mrs. Williamson and her Son, tried at Parramatta, on the 17th May last, before H. Cary, Esq., District Court Judge; also the Depositions in the case of one Mrs. Peckman, tried at the same place, and at the same Sessions; together with all Correspondence and Memoranda between the Attorney General and Mr. Mcymott, the Crown Prosecutor, with reference to placing those persons on their trial.
5. MR. MORT to move for leave to bring in a Bill to make perpetual the Act known as "The Lion on Wool Act."
6. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all persons sentenced to imprisonment or hard labour in this Colony during the last ten years, stating the circumstances under which they were convicted, the judgments awarded in each case, the names of those whose sentences have been

been since commuted, the nature and extent of such commutations, the Minutes of the Executive Council awarding them, and the names of the persons on whose recommendation, or at whose solicitation, such commutations were made.

7. MR. MURRAY to move,—

(1.) That a Select Committee be appointed to inquire into the state of Unproclaimed or Unsurreyed Roads in this Colony.

(2.) That such Committee consist of Mr. Clements, Mr. Lord, Mr. Samuel, Mr. Macleay, Mr. Robertson, Mr. Laidlaw, Mr. Hurley, Mr. Ryan, Mr. Handcock, and the Mover.

8. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—

(1.) A nominal list of all the Members of the Executive Council since the introduction of Responsible Government.

(2.) Whether any of such Members ceased to belong to the said Executive Council—at what time—and whether by resignation or otherwise.

(3.) A nominal list of the Members of the said Executive Council who have been, or are regularly summoned to the sittings thereof, stating the period during which they have been so summoned.

(4.) Also, specifying those Members who have not been regularly, or are not now so summoned,—and at what time summonses ceased to be sent to each of such Members.

(5.) All opinions given by the Crown Law Officers on the question whether any other than the Ministers for the time being belong to the said Executive Council, or on any question of a similar nature.

(6.) The Despatches from the Home Government, and any other Documents relating to the resignation or holding of seats, in the Executive Council.

ORDERS OF THE DAY :—

1. Revenue and Audit Bill ; second reading.

2. Police Regulation Act Amendment Bill ; second reading.

Question :—

1. MR. ROTTON to ask THE COLONIAL SECRETARY,—Does the Government intend to take any steps for the reorganization of the Country Police ?

#### WEDNESDAY, OCTOBER 12.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

ORDERS OF THE DAY :—

1. Judges' Pensions Bill ; second reading.

2. Supply ; Resumption of the Committee.

3. Resumption of the adjourned Debate on Mr. Cowper's motion " That the Public Education Bill be "now" read a second time, " upon which Mr. Murray had moved, by way of amendment, That the word "now" be omitted, with a view to add at the end the words "this day six months."

#### THURSDAY, OCTOBER 13.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Public Worship Bill ; second reading.

#### FRIDAY, OCTOBER 14.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MORRIS to move for leave to bring in a Bill to prohibit the importation of sheep, cattle, or other animals, for the purpose of preventing the introduction of contagious or infectious disorders.

2. DR. LANG to move for leave to bring in a Bill to amend an Act to establish and incorporate a Company, to be called the Moreton Bay Immigration and Land Company.

3. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.

4. MR. MACLEAY to move, That there be laid upon the Table of this House, a Return shewing,—

(1.) The population and area in square miles of each Police District of the Colony, with the number of Police in each during the year 1859, and the number proposed for 1860.

(2.) The number of cases tried, and the amount of fees and fines, at the Courts of Petty Sessions in each Police District during the year 1858, and the first nine months of 1859.

5. Mr. MORRIS to move, That there be laid upon the Table of this House, any correspondence between the Government and its Law Advisers relative to the right of the Aboriginal Natives to exercise the elective franchise.

6. Mr. HAY to move,—

(1.) That the St. Andrew's College Bill be referred to a Select Committee.

(2.) That such Committee consist of Mr. Byrnes, Mr. Elliott, Mr. Laidlaw, Revd. Dr. Lang, Mr. Macalister, Mr. Macleay, Mr. Morris, Mr. McArthur, Mr. Plunkett, and the Mover.

ORDER OF THE DAY:—

1. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill be now read a second time."

THURSDAY, OCTOBER 27.

GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Crown Lands Sales Bill ; second reading.
2. Crown Lands Occupation Bill ; second reading.
3. Leased Lands Occupation Bill ; second reading.

DANIEL COOPER,  
*Speaker.*





No. 22.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

THURSDAY, 6 OCTOBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Mr. Adam Nixon:—Mr. Dickson presented a Petition from Adam Nixon of West Maitland, complaining of loss entailed upon him by interruption in the completion of his Contract to gravel a certain portion of road between Black Creek and Singleton, and praying that the Papers in connection with his case may be ordered to be laid upon the Table of the House.  
Petition received.
2. Question of Order:—The Speaker said that as the Petition presented yesterday by Mr. Atkinson for reduction in the Railway Fares had attached to it only a very few genuine signatures, with hundreds of copied names, following them, the copied signatures would not be counted if the Petition were ordered to be printed, and requested that Honorable Members having Petitions for presentation to this House would be careful in future to see that the 21st Standing Order be complied with in the case of every Petition entrusted to them.
3. Public Education Bill:—Mr. Macalister claiming to have voted with the Nocs upon the Question "That the word proposed to be omitted stand part of the Question for adjournment of the Debate," and Mr. Morris stating that notwithstanding the Report of the Tellers he had counted thirty-one on the side of the Nocs,—The Speaker ordered the name of Mr. Macalister to be added to the names on the negative side in the Division, and declared the correct numbers in that Division to have been—Ayes, 28; Nocs, 31.
4. Paper:—Mr. Hargrave laid upon the Table Return to the Address, in reference to the preparation of District Courts Jury Lists, adopted, on motion of Mr. Plunkett, on the 6th April last.  
Ordered to be printed.
5. Railway Fares:—Mr. Lyons presented a Petition from certain Inhabitants of Burwood and its neighbourhood, suggesting a Reduced Scale of Railway Fares, and praying that effect may be given to the same.  
Petition received.
6. Ways and Means:—On motion of Mr. Weekes, pursuant to notice, the Speaker left the Chair, and the House resolved itself into a Committee of the whole to consider of the Ways and Means to meet the Supply granted to Her Majesty.  
The Chairman obtained leave to sit again this day week, and reported the following Resolution:—  
(1.) Resolved, That, towards making good the supply granted to Her Majesty for the service of the year 1860, the sum of £2,418 be granted out of the Consolidated Revenue Fund of New South Wales.  
Mr. Weekes moved, That this House do now adopt this Resolution.  
Question put and passed.
7. Papers:—  
(1.) Mr. Weekes laid upon the Table the Estimates of Ways and Means for the year 1860.  
Ordered to be printed.  
(2.) Mr. Cowper laid upon the Table Return, in part, to the Address, in reference to charges by Mr. Bligh against Michael Finucane, being the part relating to the dismissal of W. C. B. Wilson, Esq., from the office of Clerk of Petty Sessions at Grafton.
8. Postponement:—The Resumption of the adjourned Debate on Mr. Bayley's motion, "That the New Trial Motion Bill be now read a second time," postponed, on motion of Mr. Hargrave, until Wednesday next.
9. Sydney Necropolis Act Repeal Bill:—Mr. Robertson moved, That this Bill be "now" read a second time.  
Mr. Scott moved, That the Question be amended by the omission of the word "now," with a view to add at the end the words "this day six months."  
Debate ensued.  
Question put, That the word proposed to be omitted stand part of the Question.

The

The House divided.

Ayes, 19.

Mr. Cowper,	Mr. Gray,	
Mr. Bayley,	Mr. Oakes,	
Mr. Weekes,	Mr. Sayers,	
Mr. Hargrave,	Mr. Jamison,	
Mr. Robertson,	Mr. Flett,	
Mr. Hamilton,	Mr. Morris,	
Mr. Cooper,	Mr. Garrett,	
Mr. Wilson,	Mr. Rotton,	} Tellers.
Mr. Loder,	Mr. McArthur,	
Mr. Jones,		

Noes, 23.

Mr. Broughton,	Mr. Irving,	
Mr. Scott,	Mr. Richardson,	
Mr. Lyons,	Mr. Oxley,	
Mr. Hay,	Mr. Macleay,	
Mr. Laidlaw,	Mr. Piddington,	
Mr. Cape,	Mr. Clements,	
Mr. Forster,	Mr. Roberts,	
Mr. Cummings,	Mr. Elliott,	
Mr. Hieronimus,	Mr. Plunkett,	
Mr. Parkes,	Mr. Dark,	} Tellers.
Mr. Windeyer,	Mr. Samuel,	
Mr. Walsh,		

Question,—That the words proposed to be added at the end of the Question, be there added,—put and passed;—

Whereupon Question, *as amended*,—That this Bill be read a second time this day six months,—put and passed.

10. Postponement:—Mr. Dark postponed the motion standing in his name first on the Notice Paper of Other Business for to-day, until to-morrow.
  11. Chief Justice's Application for Leave of Absence:—Mr. Hay moved, pursuant to notice, That an Address be presented to the Governor General; praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence which has taken place with the Government, in connection with an application of the Chief Justice for leave of absence.  
Debate ensued.  
Question put and passed.
  12. Contract for Telegraphic Line from Parramatta to Bathurst:—Mr. Rotton moved, pursuant to *amended* notice, That there be laid upon the Table of this House,—  
(1.) A copy of the original (or modified, if any,) conditions of Tender for the erection of the line of Telegraph from Parramatta to Bathurst.  
(2.) Copies of all Tenders made and Contracts entered into for the performance of the work.  
(3.) Copies of Reports of authorised Inspectors or Superintendents as to the progress of the work, and statement of payments made on account of same.  
(4.) Any correspondence with the Government relating to said Contracts and Works.  
Debate ensued.  
Question put and passed.
  13. Public Education:—Mr. Cape moved, pursuant to notice, That the Petition of certain Public Teachers, relative to Public Education, presented by him on the 5th instant, be printed.  
Question put and passed.  
Ordered to be printed.
  14. Working of the Sydney Municipal Council:—Mr. Broughton moved, pursuant to notice, That the Petition of the Mayor and Aldermen of the Municipal Council of the City of Sydney be printed, and referred to the Select Committee appointed to inquire into the working of the Sydney Municipal Council.  
Question put and passed.  
Ordered to be printed; and referred accordingly.
  15. Postponement:—Mr. Onkes postponed the Motion standing in the name of Mr. Atkinson sixth on the Notice Paper of Other Business for to-day, until to-morrow.
- The House adjourned at a quarter after Eleven o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, OCTOBER 7.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MARTIN to move the following Resolutions,—  
(1.) That the chief advantage which Governments are able to afford is a pure and efficient administration of justice.  
(2.) That such purity and efficiency cannot be reasonably expected where the higher appointments connected with such administration are conferred upon persons, not with reference to their fitness, but for the purpose of promoting the party views of the Government appointing them.  
(3.) That, in several instances of late, appointments have been so made, and under circumstances such as to justify the most serious apprehension of danger to the public interests.  
(4.) That the conduct of His Excellency's present Advisers in recommending such appointments, and otherwise in reference to the administration of justice, has been such as to call for the marked condemnation of this House.  
(5.) That an Address, embodying the foregoing Resolutions, be presented to His Excellency the Governor General.

2. MR. SCOTT to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board.
    - (2.) Upon the operation of the present system of Tonnage Dues; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
3. MR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd ultimo, be now taken into consideration.
4. MR. PLUNKETT to move, That the Petition of the Honorable James Macarthur, Esquire, and Sir William Macarthur, relative to the Public Education Bill, presented by him on the 4th instant, be printed.
5. MR. GARRETT to move, for leave to bring in a Bill to authorise the completion of a Tram-road from the Mount Keira Coal Mines to Wollongong Harbour.
6. MR. GARRETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing all Lands sold in the Nowra and Good Dog Municipality, setting forth the names of each purchaser, the date of the transaction, the extent of, and price paid for each lot, at per acre or otherwise; and, if any has been granted, for what service.
7. MR. BYRNES to move for leave to bring in a Bill for the Incorporation of Wesley College.
8. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimate for the year 1859 the sum of £50,000, for the repairs of Roads and Bridges, and erection of new Bridges, in the Western District.
9. MR. WILSON to move,—
  - (1.) That the Petition of William Sutherland, presented by him on the 5th instant, be printed, and referred to a Select Committee to report thereon; with power to send for persons and papers.
  - (2.) That such Committee consist of Mr. Murray, Mr. Jones, Mr. Douglas, Mr. Laidlaw, Mr. G. Lang, Mr. Pennell, Mr. Parkes, Mr. Laycock, Mr. Gray, and the Mover.
10. MR. LAYCOCK to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimate for 1860, a sum not exceeding £2,000, for the purpose of re-forming and metalling the public road between Parramatta and Windsor; one moiety of the said sum of £2,000 to be expended under the authority and control of the Parramatta Road Trust, and the other moiety to be expended under the authority and control of the Windsor Road Trust.
11. MR. GARRETT to move, That the Petition presented by him on the 30th ultimo, from certain Landholders and others at Shoalhaven, be printed.
12. MR. GARRETT to move, That the Petition presented by him on the 30th ultimo, from James Graham, Esq., of Shoalhaven, be printed.
13. MR. GARRETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of all Lands granted in the Police District of Shoalhaven—to whom granted—for what public service granted—together with the area of said grants, distinguishing the lands granted as unprofitable swamps.
14. MR. GARRETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of all sums of Money granted for the improvement of the Shoalhaven River—when granted—to whom the expenditure of the said money was entrusted—what amount has been expended—and if any unexpended, in whose hands is the balance.
15. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all opinions which have been given by the Crown Law Officers, on the present tenure of the so-called Church and School Lands.
16. MR. LYONS to move, That the Petition of certain Inhabitants of Burwood relative to the Railway Fares, presented by him on the 6th instant, be printed.
17. MR. DARK to move,—
  - (1.) That in consequence of the great expense to be incurred in the carriage of Colonial timber to local markets, the importation of timber into this Colony from the United States, Great Britain, and other European States, amounting in the aggregate to nearly four hundred thousand pounds per annum, is injurious to the interests of the Colonists generally, but more especially to the interests of those engaged in sawing Colonial timber.
  - (2.) That the importation, free of duty, of turnery, furniture, and other woodware manufactured in the State Prisons of America, by American criminals, is impolitic, as repressive of skill and industry in the free mechanics of this Colony.
  - (3.) That Colonial skill and industry ought to be freed from this discouragement, by the imposition of a duty on importations of the kind referred to, and by the abolition of the fee heretofore exacted for licenses to cut timber.
  - (4.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.

13. Mr. ATKINSON to move, That the Petition relative to the Fares on the Great Southern Line of Railway, presented by him on the 5th instant, be printed.

ORDERS OF THE DAY :—

1. Resumption of the adjourned Debate of Mr. Darvall's motion, "That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the Legislature of New South Wales,—  
 "(1.) Because the Colony of New South Wales, as at present constituted, is entitled to the undivided Crown Lands, and to the Territorial Revenue of the Colony, which is a portion of the security for the Public Debt and Civil List of the Colony; and no change in the position of the Public Creditor or Debtor in reference to that security can lawfully be made without the concurrence of the Legislature who represent the latter, and are bound to protect the former.  
 "(2.) Because the payment of the Debt and Civil List of the Colony, and the administration of the security on which they rest, are matters of local concern only, with which the Local Legislature alone can deal.  
 "(3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a copy of the foregoing Resolutions to be transmitted to Her Majesty's Principal Secretary of State for the Colonies."
2. Proposed Standing Orders; to be further considered in Committee.
3. Conveyance of Immigrants to Maryborough; consideration in Committee of an Address for Funds.

Questions :—

1. Mr. LAYCOCK to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to make special provision in the new Land Bill, for the conservation of the Cedar Lands of the Colony; and the prevention of injury to timber trees from the denudation of their bark?
2. Mr. GARRETT to ask THE SECRETARY FOR LANDS,—  
 (1.) If he has received the report of Mr. Surveyor Rowland, respecting the Road from the navigable waters of the Shoalhaven to Goulburn?  
 (2.) Is it the intention of the Government to place upon the Estimates for the present year a sum of money for the making of the said Road?
3. Mr. DARK to ask THE COLONIAL TREASURER,—If during the present Session of Parliament, it is the intention of the Government to introduce a Bill for the purpose of reducing or abolishing the Duties on Tea and Sugar.
4. Mr. JONES to ask THE COLONIAL SECRETARY,—Whether the Government intend to submit to the Legislature, during this Session, any proposal for aiding the establishment of Telegraphic Communication between the Australian Colonies and the United Kingdom; and if so, when?

TUESDAY, OCTOBER 11.

Contingent Notice of Motion :—

1. Mr. HODGSON to move, as an amendment on Mr. Parkes' motion,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. PARKES to move, That in consideration of the eminent services of William Charles Wentworth, formerly, and for many years, one of the representatives of the City of Sydney, in obtaining Free Institutions for the Colony, this House gives authority for the Portrait of that gentleman, painted in testimony of the respect entertained for his public character by a number of his fellow colonists, to be permanently placed on the walls of its hall of meeting.
2. Mr. MCARTHUR to move,—  
 (1.) That, in the opinion of this House, the value and importance of the Fijian Islands, from their geographical position—their vast natural resources—their peculiar adaptation for the growth of the cotton of commerce—the capacity of their inhabitants to appreciate and embrace the advantages of civilization—and their political and commercial relations to this Colony, render it highly desirable that they should become the possession of the British Crown.  
 (2.) That the proposal made by the Principal Chief to cede the Sovereignty of the Fijis to Great Britain offers a favorable opportunity to effect this object.
3. Mr. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—  
 (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.  
 (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.

- (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
- (4.) That any opinion herein expressed is not intended to apply to the movements of Her Majesty's ships of war in the Australian waters.
- (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
4. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, Copies of the Depositions in the case of one Mrs. Williamson and her Son, tried at Parramatta, on the 17th May last, before H. Cary, Esq., District Court Judge; also the Depositions in the case of one Mrs. Peckman, tried at the same place, and at the same Sessions; together with all Correspondence and Memoranda between the Attorney General and Mr. Meymott, the Crown Prosecutor, with reference to placing those persons on their trial.
5. MR. MORT to move for leave to bring in a Bill to make perpetual the Act known as "The Lion on Wool Act."
6. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all persons sentenced to imprisonment or hard labour in this Colony during the last ten years, stating the circumstances under which they were convicted, the judgments awarded in each case, the names of those whose sentences have been since commuted, the nature and extent of such commutations, the Minutes of the Executive Council awarding them, and the names of the persons on whose recommendation, or at whose solicitation, such commutations were made.
7. MR. MURRAY to move,—
- (1.) That a Select Committee be appointed to inquire into the state of Unproclaimed or Unsurreyed Roads in this Colony.
- (2.) That such Committee consist of Mr. Clements, Mr. Lord, Mr. Samuel, Mr. Macleay, Mr. Robertson, Mr. Laidlaw, Mr. Hurley, Mr. Ryan, Mr. Handcock, and the Mover.
8. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
- (1.) A nominal list of all the Members of the Executive Council since the introduction of Responsible Government.
- (2.) Whether any of such Members ceased to belong to the said Executive Council—at what time—and whether by resignation or otherwise.
- (3.) A nominal list of the Members of the said Executive Council who have been, or are regularly summoned to the sittings thereof, stating the period during which they have been so summoned.
- (4.) Also, specifying those Members who have not been regularly, or are not now so summoned,—and at what time summonses ceased to be sent to each of such Members.
- (5.) All opinions given by the Crown Law Officers on the question whether any other than the Ministers for the time being belong to the said Executive Council, or on any question of a similar nature.
- (6.) The Despatches from the Home Government, and any other Documents relating to the resignation or holding of seats, in the Executive Council.
9. MR. DICKSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all Contracts entered into between Adam Nixon and the Government, or any Officer of the Government, with all correspondence relating thereto.
10. MR. DICKSON to move, That the Petition of Adam Nixon, of West Maitland, presented by him on the 6th instant, be printed.

#### ORDERS OF THE DAY :—

1. Revenue and Audit Bill; second reading.
2. Police Regulation Act Amendment Bill; second reading.

#### Questions :—

1. MR. ROTTON to ask THE COLONIAL SECRETARY,—Does the Government intend to take any steps for the reorganization of the Country Police?
2. MR. DICKSON to ask THE SECRETARY FOR LANDS,—If he received any documents from G. B. White, Esq., referring to a contract between Adam Nixon and the Government, or any Officer of the Government;—if received, are they held by him—and he refuses to give them up?

WEDNESDAY, OCTOBER 12.

#### GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

ORDERS

## ORDERS OF THE DAY :—

1. Judges' Pensions Bill; second reading.
2. Supply; Resumption of the Committee.
3. Resumption of the adjourned Debate on Mr. Cowper's motion "That the Public Education Bill be "now" read a second time, "upon which Mr. Murray had moved, by way of amendment, That the word "now" be omitted, with a view to add at the end the words "this "day six months."
4. Resumption of the adjourned Debate on Mr. Bayley's motion, "That the New Trial "Motion Bill be now read a second time."

THURSDAY, OCTOBER 13.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Public Worship Bill; second reading.
2. Ways and Means; resumption of the Committee.

FRIDAY, OCTOBER 14.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MORRIS to move for leave to bring in a Bill to prohibit the importation of sheep, cattle, or other animals, for the purpose of preventing the introduction of contagious or infectious disorders.
2. DR. LANG to move for leave to bring in a Bill to amend an Act to establish and incorporate a Company, to be called the Moreton Bay Immigration and Land Company.
3. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.
4. MR. MACLEAY to move, That there be laid upon the Table of this House, a Return shewing,—
  - (1.) The population and area in square miles of each Police District of the Colony, with the number of Police in each during the year 1859, and the number proposed for 1860.
  - (2.) The number of cases tried, and the amount of fees and fines, at the Courts of Petty Sessions in each Police District during the year 1858, and the first nine months of 1859.
5. MR. MORRIS to move, That there be laid upon the Table of this House, any correspondence between the Government and its Law Advisers relative to the right of the Aboriginal Natives to exercise the elective franchise.
6. MR. HAY to move,—
  - (1.) That the St. Andrew's College Bill be referred to a Select Committee.
  - (2.) That such Committee consist of Mr. Byrnes, Mr. Elliott, Mr. Laidlaw, Revd. Dr. Lang, Mr. Macalister, Mr. Macleay, Mr. Morris, Mr. McArthur, Mr. Plunkett, and the Mover.
7. MR. HODGSON to move, That the Petition from certain inhabitants of the City of Newcastle, presented by him on the 4th instant, representing Petitioners' belief that Lieutenant Seaver, R.N., has been treated with undeserved severity, and praying that compensation may be awarded to him, be printed.
8. MR. NORR to move, that there be laid on the Table of this House,—
  - (1.) A Return shewing the amount of money placed at the disposal of the Bench of Magistrates, Tenterfield, or any other Bench of Magistrates, or Road Trustees for the repairs of the road from Tenterfield to Grafton, from 1st July, 1858, to the present time.
  - (2.) The amount drawn by such Trustees during the same period, shewing by whom drawn.
  - (3.) Copies of all correspondence between the Government and any Trustees or Surveyors for these roads since 1 July, 1858.

## ORDER OF THE DAY :—

1. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill be now read a second time."

THURSDAY, OCTOBER 27.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Crown Lands Sales Bill; second reading.
2. Crown Lands Occupation Bill; second reading.
3. Leased Lands Occupation Bill; second reading.

DANIEL COOPER,  
Speaker.

No. 23.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

FRIDAY, 7 OCTOBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Nowra Court House and Gaol:—Mr. Garrett presented a Petition from certain Magistrates, Gentry, Landholders, and other Residents of the Shoalhaven District, praying that steps may be taken for the speedy erection of a Court House and Gaol at Nowra.  
Petition received.
2. Postponement:—Mr. Martin postponed the motion standing in his name first on the Notice Paper for to-day, until this day week.
3. Adjournment:—Mr. Byrnes moved, That this House do now adjourn until this day week.  
Debate ensued.  
Motion by leave withdrawn.
4. Mrs. Frances De Courey:—Mr. Hart presented a Petition from Frances De Courey, of Sydney, representing herself as one of the sufferers by the accident on the Parramatta line of Railway, in the month of July, 1858, and praying inquiry into her case, and that such steps may be taken in regard to it as to the House shall seem just.  
Petition received.
5. Postponements:—  
(1.) Mr. Scott postponed the motion standing in his name second on the Notice Paper for to-day, until Friday next  
(2.) The Revd. Dr. Lang postponed the motion standing in his name third on the Notice Paper for to-day, until this day fortnight.
6. Public Education Bill:—Mr. Plunkett moved, pursuant to notice, That the Petition of the Honorable James Macarthur, Esquire, and Sir William Macarthur, relative to the Public Education Bill, presented by him on the 4th instant, be printed.  
Question put and passed.  
Ordered to be printed.
7. Mount Keira Tramroad Bill:—Mr. Garrett moved, pursuant to notice, for leave to bring in a Bill to authorise the completion of a Tramroad from the Mount Keira Coal Mines to Wollongong Harbour.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
8. Land sold in the Nowra and Good Dog Municipality:—Mr. Garrett moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing all Lands sold in the Nowra and Good Dog Municipality, setting forth the name of each purchaser, the date of the transaction, the extent of, and price paid for each lot, at per acre or otherwise; and, if any has been granted, for what service.  
Question put and passed.
9. Wesley College Bill:—Mr. Byrnes moved, pursuant to notice, for leave to bring in a Bill for the Incorporation of Wesley College.  
Question put and passed; *Ordered*,—That the Mover and Seconder prepare and bring in the Bill.
10. Postponement:—Mr. Cummings postponed the motion standing in his name eighth on the Notice Paper for to-day, until Tuesday next.
11. Mr. William Sutherland:—Mr. Wilson moved, pursuant to notice,—  
(1.) That the Petition of William Sutherland, presented by him on the 5th instant, be printed, and referred to a Select Committee to report thereon; with power to send for persons and papers.

(2.)

(2.) That such Committee consist of Mr. Murray, Mr. Jones, Mr. Douglas, Mr. Laidlaw, Mr. G. Lang, Mr. Pemell, Mr. Parkes, Mr. Laycock, Mr. Gray, and the Mover.

Question put and passed.

12. Mount Keira Tramroad Bill :—Mr. Garrett having presented this Bill, and produced a Certificate that the sum of Twenty-five pounds had been paid to the credit of the Consolidated Revenue, Bill, intituled, "*A Bill to authorise the completion of a Tramroad from the Mount Keira Coal Mines to Wollongong Harbour,*"—read a first time.
13. Road between Parramatta and Windsor :—Mr. Laycock moved, pursuant to notice, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimate for 1860, a sum not exceeding £2,000, for the purpose of re-forming and metalling the public road between Parramatta and Windsor; one moiety of the said sum of £2,000 to be expended under the authority and control of the Parramatta Road Trust, and the other moiety to be expended under the authority and control of the Windsor Road Trust.  
Debate ensued.  
Motion by leave withdrawn.
14. Shoalhaven Municipality :—Mr. Garrett moved, pursuant to notice, That the Petition presented by him on the 30th ultimo, from certain Landholders and others at Shoalhaven, be printed.  
Question put and passed.  
Ordered to be printed.
15. Shoalhaven Municipality :—Mr. Garrett moved, pursuant to notice, That the Petition presented by him on the 30th ultimo, from James Graham, Esq., of Shoalhaven, be printed.  
Question put and passed.  
Ordered to be printed.
16. Lands granted in the Police District of Shoalhaven :—Mr. Garrett moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of all Lands granted in the Police District of Shoalhaven—to whom granted—when for what public service granted—together with the areas of said grants, distinguishing the lands granted as unprofitable swamps.  
Debate ensued.  
Question put and passed.
17. Wesley College Bill :—Mr. Byrnes having presented this Bill, and produced a Certificate that the sum of Twenty-five pounds had been paid to the credit of the Consolidated Revenue, Bill, intituled, "*A Bill to Incorporate ' Wesley College,' as a College within the University of Sydney,*"—read a first time.
18. Money Grants for Improvement of the Shoalhaven River :—Mr. Garrett moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of all sums of Money granted for the improvement of the Shoalhaven River—when granted—to whom the expenditure of the said money was entrusted—what amount has been expended—and if any unexpended, in whose hands is the balance.  
Question put and passed.
19. Tenure of Church and School Lands :—Mr. Murray moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all opinions which have been given by the Crown Law Officers, on the present tenure of the so-called Church and School Lands.  
Question put and passed.
20. Railway Fares :—Mr. Lyons moved, pursuant to notice, That the Petition of certain Inhabitants of Burwood relative to the Railway Fares, presented by him on the 6th instant, be printed.  
Question put and passed.  
Ordered to be printed.
21. Timber Trade :—Mr. Dark moved, pursuant to amended notice,—  
  - (1.) That in consequence of the great expense to be incurred in the carriage of Colonial timber to local markets, the importation of timber into this Colony from the United States, Great Britain, and other European States, amounting in the aggregate to nearly four hundred thousand pounds per annum, is injurious to the interests of the Colonists generally, but more especially to the interests of those engaged in sawing Colonial timber.
  - (2.) That the importation, free of duty, of turnery, furniture, and other woodware manufactured in the State Prisons of America, by American criminals, is impolitic, as repressive of skill and industry in the free mechanics of this Colony.
  - (3.) That Colonial skill and industry ought to be freed from this discouragement, by the imposition of a duty on importations of the kind referred to in these Resolutions.
  - (4.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.

Question put.

The



## The House divided.

## Ayes, 6.

Mr. Windeyer,	Mr. Garrett,	} Tellers.
Mr. Cummings,	Mr. Irving.	
Mr. Laycock,	Mr. Dark.	

## Noes, 38.

Mr. Cowper,	Mr. Hay,	} Tellers.
Mr. Robertson,	Mr. Murray,	
Mr. Hargrave,	Mr. Walsh,	
Mr. Morris,	Rev. Dr. Lang,	
Mr. Cape,	Mr. Douglas,	
Mr. Macalister,	Mr. Richardson,	
Mr. Darvall,	Mr. Hyeronimus,	
Mr. Clements,	Mr. Rotton,	
Mr. Russell,	Mr. Parkes,	
Mr. Jamison,	Mr. Black,	
Mr. Mort,	Mr. Jenkins,	
Mr. Sayers,	Mr. Piddington,	
Mr. Laidlaw,	Mr. Elliott,	
Mr. Broughton,	Mr. Plunkett,	
Mr. Scott,	Mr. Oakes,	
Mr. Loder,	Mr. Campbell,	
Mr. Forster,	Mr. Sayers,	
Mr. Flett,	Mr. Byrnes,	
Mr. Jones,	Mr. Cooper.	

\*So in Teller's List.

22. Postponement:—Mr. Jamison postponed the motion standing in the name of Mr. Atkinson eighteenth on the Notice Paper for to-day, until Tuesday next.

23. Moreton Bay Share of Public Debt:—The adjourned Debate of Mr. Darvall's motion, "That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the "*Legislature*" of New South Wales,—

"(1.) Because the Colony of New South Wales, as at present constituted, is entitled to the undivided Crown Lands, and to the Territorial Revenue of the Colony, which is a portion of the security for the Public Debt and Civil List of the Colony; and no change in the position of the Public Creditor or Debtor in reference to that security can lawfully be made without the concurrence of the Legislature who represent the latter, and are bound to protect the former.

"(2.) Because the payment of the Debt and Civil List of the Colony, and the administration of the security on which they rest, are matters of local concern only, with which the Local Legislature alone can "*deal*."

"(3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a copy of the foregoing "*Resolutions*" to be transmitted to Her Majesty's Principal Secretary of State for the Colonies,"—resumed. Mr. Jones moved, That the Question be amended by the omission of all the words thereof from and inclusive of the word "*Legislature*," in the third line, to and inclusive of the word "*deal*" at the end of section (2), with a view to the insertion in their place of the words "*Legislatures of the respective Colonies*," and by converting the word "*Resolutions*," in section (3), into the word "*Resolution*."

Debate continued.

Proposed Amendment, by leave, withdrawn.

Original Question put, as then by leave amended,—

(1.) That the apportionment of the Public Debt of New South Wales, in the event of the separation of Moreton Bay, cannot be lawfully effected without the concurrence and sanction of the Legislature of New South Wales.

(2.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a Copy of the foregoing Resolution to be transmitted to Her Majesty's Principal Secretary of State for the Colonies.

The House divided.

## Ayes, 44.

Mr. Cowper,	Mr. Murray,	} Tellers.
Mr. Robertson,	Mr. Plunkett,	
Mr. Hayley,	Mr. G. Lang,	
Mr. Weekes,	Mr. Rotton,	
Mr. Hargrave,	Mr. Jamison,	
Mr. Cape,	Mr. Scott,	
Mr. Clements,	Mr. Hurley,	
Mr. Sayers,	Mr. Darvall,	
Mr. Broughton,	Mr. Piddington,	
Mr. Parkes,	Mr. Laidlaw,	
Mr. Gray,	Mr. Elliott,	
Mr. Windeyer,	Mr. Hay,	
Mr. Russell,	Mr. Forster,	
Mr. Cooper,	Mr. Dark,	
Mr. Cummings,	Mr. Flett,	
Mr. Jones,	Mr. Garrett,	
Mr. Parnell,	Mr. Campbell,	
Mr. Loder,	Mr. Oakes,	
Mr. Hyeronimus,	Mr. Byrnes,	
Mr. Jenkins,	Rev. Dr. Lang,	
Mr. Egan,	Mr. Walsh,	
Mr. Macleay,	Mr. Morris.	

## Noes, 6.

Mr. Douglas,	Mr. Richardson,	} Tellers.
Mr. Hodgson,	Mr. Mort,	
Mr. Black,	Mr. Macalister.	

24. Proposed Standing Orders:—Upon the Order of the Day being read, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, for the further consideration of the Proposed Standing Orders.

The Chairman having reported that the Committee had agreed to the proposed Standing Orders with an Amendment,—

Mr.

Mr. Cowper moved, That the Standing Orders reported as so agreed to in Committee of the whole, be now adopted as the Standing Orders of this House.

Debate ensued.

Question put and passed ;—

Whereupon Mr. Cowper moved, That the Standing Orders adopted by this House, be, by the Speaker, presented for approval to His Excellency the Governor General.

Question put and passed.

25. Conveyance of Immigrants to Maryborough :—On motion of Mr. Elliott, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, to consider of an Address for funds to defray the cost of the conveyance of Immigrants from Brisbane to Maryborough.

The Chairman reported the following Resolution :—

Resolved, That an Address be presented to the Governor General, requesting that His Excellency will cause to be placed on the Estimates for 1860, a sum not exceeding £250, for the conveyance of Immigrants from Brisbane to Maryborough.

Mr. Elliott then moved, That this House do now adopt this Resolution.

Question put and passed.

The House adjourned at ten minutes before Eleven o'clock, until Tuesday next, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, OCTOBER 11.

### Contingent Notice of Motion :—

1. MR. HODGSON to move, *as an amendment on Mr. Parkes' motion*,—That there be inserted between Resolutions 4 and 5, the Resolution following :—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its *affectionate loyalty* to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move, That in consideration of the eminent services of William Charles Wentworth, formerly, and for many years, one of the representatives of the City of Sydney, in obtaining Free Institutions for the Colony, this House gives authority for the Portrait of that gentleman, painted in testimony of the respect entertained for his public character by a number of his fellow colonists, to be permanently placed on the walls of its hall of meeting.
2. MR. MCARTHUR to move,—
  - (1.) That, in the opinion of this House, the value and importance of the Fijian Islands, from their geographical position—their vast natural resources—their peculiar adaptation for the growth of the cotton of commerce—the capacity of their inhabitants to appreciate and embrace the advantages of civilization—and their political and commercial relations to this Colony, render it highly desirable that they should become the possession of the British Crown.
  - (2.) That the proposal made by the Principal Chief to cede the Sovereignty of the Fijis to Great Britain offers a favorable opportunity to effect this object.
3. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the movements of Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
4. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, Copies of the Depositions in the case of one Mrs. Williamson and her Son,

- Son, tried at Parramatta, on the 17th May last, before H. Cary, Esq., District Court Judge; also the Depositions in the case of one Mrs. Peckman, tried at the same place, and at the same Sessions; together with all Correspondence and Memoranda between the Attorney General and Mr. Meymott, the Crown Prosecutor, with reference to placing those persons on their trial.
5. MR. MORT to move for leave to bring in a Bill to make perpetual the Act known as "The Lien on Wool Act."
  6. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all persons sentenced to imprisonment or hard labour in this Colony during the last ten years, stating the circumstances under which they were convicted, the judgments awarded in each case, the names of those whose sentences have been since commuted, the nature and extent of such commutations, the Minutes of the Executive Council awarding them, and the names of the persons on whose recommendation, or at whose solicitation, such commutations were made.
  7. MR. MURRAY to move,—
    - (1.) That a Select Committee be appointed to inquire into the state of Unproclaimed or Unsurveyed Roads in this Colony.
    - (2.) That such Committee consist of Mr. Clements, Mr. Lord, Mr. Samuel, Mr. Macleay, Mr. Robertson, Mr. Laidlaw, Mr. Hurley, Mr. Ryan, Mr. Handcock, and the Mover.
  8. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
    - (1.) A nominal list of all the Members of the Executive Council since the introduction of Responsible Government.
    - (2.) Whether any of such Members ceased to belong to the said Executive Council—at what time—and whether by resignation or otherwise.
    - (3.) A nominal list of the Members of the said Executive Council who have been, or are regularly summoned to the sittings thereof, stating the period during which they have been so summoned.
    - (4.) Also, specifying those Members who have not been regularly, or are not now so summoned,—and at what time summonses ceased to be sent to each of such Members.
    - (5.) All opinions given by the Crown Law Officers on the question whether any other than the Ministers for the time being belong to the said Executive Council, or on any question of a similar nature.
    - (6.) The Despatches from the Home Government, and any other Documents relating to the resignation or holding of seats, in the Executive Council.
  9. MR. DICKSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all Contracts entered into between Adam Nixon and the Government, or any Officer of the Government, with all correspondence relating thereto.
  10. MR. DICKSON to move, That the Petition of Adam Nixon, of West Maitland, presented by him on the 6th instant, be printed.
  11. MR. JONES to move, That a further Return, supplementing the Return ordered on the 23rd September last, be laid on the Table of this House, shewing the date from which each Clergyman who has been in the receipt of a Stipend under Schedule C of the Constitution Act, from the 24th November, 1855, first received a Stipend from the ordinary, territorial, casual, or other revenues of the Colony; and, also, the authority under which the respective Stipends of such Clergymen were paid prior to the 24th November, 1855.
  12. MR. FORSTER to move, That there be laid upon the Table of this House,—
    - (1.) Copies of all Correspondence between the Executive Government and the Bench of Magistrates at Maryborough, Wide Bay, having reference to the proposed construction of a public road between Maryborough and Brisbane; also, between the Executive Government and the Committee of Public Works at Maryborough, on the same subject.
    - (2.) Return of all Tenders received by the Bench at Maryborough, or by the Committee of Public Works, for the construction of said road, specifying names of persons tendering, and rates of tender.
    - (3.) Return of all proceedings of the Bench at Maryborough, or of the Committee above specified, having reference to same subject.
  13. MR. HART to move, That the Petition of Mrs. De Courcy, presented by him on the 7th instant, be printed.
  14. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimate for the year 1859 the sum of £50,000, for the repairs of Roads and Bridges, and erection of new Bridges, in the Western District.
  15. MR. BYRNES to move,—
    - (1.) That the Wesley College Bill be referred to a Select Committee.
    - (2.) That such Committee consist of the following Members, viz:—Mr. McArthur, Mr. Hay, Mr. Oakes, Mr. Dickson, Mr. Jones, Mr. Douglas, Mr. Murray, Mr. Elliott, and the Mover.
  16. MR. ATKINSON to move, That the Petition relative to the Fares on the Great Southern Line of Railway, presented by him on the 5th instant, be printed.

17. *MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.*

ORDERS OF THE DAY :—

1. Revenue and Audit Bill; second reading.
2. Police Regulation Act Amendment Bill; second reading.

Questions :—

1. *MR. ROTTON to ask THE COLONIAL SECRETARY,--Does the Government intend to take any steps for the reorganization of the Country Police?*
2. *MR. DICKSON to ask THE SECRETARY FOR LANDS,--If he received any documents from G. B. White, Esq., referring to a contract between Adam Nixon and the Government, or any Officer of the Government;—if received, are they held by him—and he refuses to give them up?*
3. *DR. LANG to ask THE SECRETARY FOR LANDS,--*  
 (1.) *Whether the tract of country intervening between the Colonies of South Australia and Western Australia, and extending over three degrees of longitude and ten of latitude, included in the original patent for the colonization of New South Wales, is still part and parcel of this Colony? and if so—*  
 (2.) *Whether the Government or Legislature of New South Wales claims any right of property in the said tract of country, on the ground of its having been included in the original patent aforesaid? and—*  
 (3.) *Whether Her Majesty was not authorized, under the Constitution Act of 1853, and the Imperial Act of 1855, to separate the said tract of country from New South Wales, and to dispose of it as to Her Majesty might seem fit, without asking either the consent or concurrence of this Colony?*
4. *MR. BYRNES to ask THE COLONIAL SECRETARY,--Whether the Fees which have been at various times received by the Chief Clerk in the Insolvency Office, for preparing Affidavits for proof of Debts, Insolvents' Schedules, Certificates, and copies of Insolvency Proceedings, have been retained by him or paid into the Colonial Treasury?*
5. *MR. WALSH to ask THE COLONIAL SECRETARY,--Have the Government resolved to proclaim Maryborough, Gayndah, Gladstone, and Rockhampton, places at which District Courts shall be held?*
6. *MR. WINDEYER to ask THE COLONIAL SECRETARY,--Whether it is the intention of the Government to introduce any measure assimilating the law of Divorce in this Colony with that now existing in England, and recommended for adoption here by Her Majesty's Secretary of State for the Colonies?*
7. *MR. PEMELL to ask THE SECRETARY FOR LANDS,--Whether the Government have granted for Religious, or other purposes, any portions of the piece of Land in Wynyard Square, formerly set apart as the site of a General Post Office; and, if so, to whom, and for what specific purposes have such portions of the said land been granted?*

WEDNESDAY, OCTOBER 12.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. *MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.*

ORDERS OF THE DAY :—

1. Judges' Pensions Bill; second reading.
2. Supply; Resumption of the Committee.
3. Resumption of the adjourned Debate on Mr. Cowper's motion "That the Public Education Bill be "now" read a second time, "upon which Mr. Murray had moved, by way of amendment, That the word "now" be omitted, with a view to add at the end the words "this day six months."
4. Resumption of the adjourned Debate on Mr. Bayley's motion, "That the New Trial Motion Bill be now read a second time."

OTHER BUSINESS—NOTICE OF MOTION :—

1. *MR. GARRETT to move,--*  
 (1.) *That the Mount Kiern Tram Road Bill be referred to a Select Committee.*  
 (2.) *That such Committee consist of the following Members, viz. :—Mr. Byrnes, Mr. McArthur, Mr. Richardson, Mr. Laycock, Mr. Ryan, Mr. Laidlaw, Mr. Wisdom, and the Mover.*

THURSDAY, OCTOBER 13.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. *MR. ROBERTSON to move for leave to bring in a Bill to repeal the Act 20 Victoria No. 38, and styled "The Tolls Amendment Act of 1867" commonly called "The Broad Wheels Amendment Act."*

ORDERS

## ORDERS OF THE DAY:—

1. Public Worship Bill; second reading.
2. Ways and Means; resumption of the Committee.

FRIDAY, OCTOBER 14.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MORRIS to move for leave to bring in a Bill to prohibit the importation of sheep, cattle, or other animals, for the purpose of preventing the introduction of contagious or infectious disorders.
2. DR. LANG to move for leave to bring in a Bill to amend an Act to establish and incorporate a Company, to be called the Moreton Bay Immigration and Land Company.
3. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.
4. MR. MACLEAY to move, That there be laid upon the Table of this House, a Return shewing,—
  - (1.) The population and area in square miles of each Police District of the Colony, with the number of Police in each during the year 1859, and the number proposed for 1860.
  - (2.) The number of cases tried, and the amount of fees and fines, at the Courts of Petty Sessions in each Police District during the year 1858, and the first nine months of 1859.
5. MR. MORRIS to move, That there be laid upon the Table of this House, any correspondence between the Government and its Law Advisers relative to the right of the Aboriginal Natives to exercise the elective franchise.
6. MR. HAY to move,—
  - (1.) That the St. Andrew's College Bill be referred to a Select Committee.
  - (2.) That such Committee consist of Mr. Byrnes, Mr. Elliott, Mr. Laidlaw, Revd. Dr. Lang, Mr. Macalister, Mr. Macleay, Mr. Morris, Mr. McArthur, Mr. Plunkett, and the Mover.
7. MR. HODGSON to move, That the Petition from certain inhabitants of the City of Newcastle, presented by him on the 4th instant, representing Petitioners' belief that Lieutenant Seaver, R.N., has been treated with undeserved severity, and praying that compensation may be awarded to him, be printed.
8. MR. NOTT to move, that there be laid on the Table of this House,—
  - (1.) A Return shewing the amount of money placed at the disposal of the Bench of Magistrates, Tenterfield, or any other Bench of Magistrates, or Road Trustees for the repairs of the road from Tenterfield to Grafton, from 1st July, 1858, to the present time.
  - (2.) The amount drawn by such Trustees during the same period, shewing by whom drawn.
  - (3.) Copies of all correspondence between the Government and any Trustees or Surveyors for these roads since 1 July, 1858.
9. MR. MARTIN to move the following Resolutions,—
  - (1.) That the chief advantage which Governments are able to afford is a pure and efficient administration of justice.
  - (2.) That such purity and efficiency cannot be reasonably expected where the higher appointments connected with such administration are conferred upon persons, not with reference to their fitness, but for the purpose of promoting the party views of the Government appointing them.
  - (3.) That, in several instances of late, appointments have been so made, and under circumstances such as to justify the most serious apprehension of danger to the public interests.
  - (4.) That the conduct of His Excellency's present Advisers in recommending such appointments, and otherwise in reference to the administration of justice, has been such as to call for the marked condemnation of this House.
  - (5.) That an Address, embodying the foregoing Resolutions, be presented to His Excellency the Governor General.
10. MR. SCOTT to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board.
    - (2.) Upon the operation of the present system of Tonnage Dues; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.

## ORDER OF THE DAY:—

1. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill be now read a second time."

FRIDAY,

FRIDAY, OCTOBER 21.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WILSON to move,—  
(1.) That the export tax on gold, is a direct tax on the most important branch of Colonial industry, and being levied on a particular class, is repugnant to justice and the principles of equal taxation, and ought therefore to be repealed.  
(2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.
  2. MR. DARR to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.
  3. DR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd ultimo, be now taken into consideration.
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THURSDAY, OCTOBER 27.

GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Crown Lands Sales Bill ; second reading.
2. Crown Lands Occupation Bill ; second reading.
3. Leased Lands Occupation Bill ; second reading.

DANIEL COOPER,  
*Speaker.*

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No. 24.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

TUESDAY, 11 OCTOBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Message:—The following Message from His Excellency the Governor General received and read,—  
 (1.) Separation of Moreton Bay :—  
 W. DENISON,  
*Governor General.* *Message No. 4.*  
 The Governor General lays before the Legislative Assembly a copy of a Despatch with which he has been honored by the Secretary of State, enclosing copies of the Order in Council for carrying into effect the Separation of Moreton Bay from New South Wales. The originals of these documents are entrusted to Sir George Bowen, who has been appointed Governor of the Colony of Queensland.  
 Under the circumstances disclosed in this Despatch, the Governor General concludes that it will not now be considered necessary that the Resolutions passed by the Legislative Assembly on the 4th instant, should be forwarded to the Secretary of State.  
*Government House,*  
 11 October, 1859.  
 And the Clerk, by direction of the Speaker, having read the Message and Despatch at length,—  
 Mr. Cowper moved, That this Message, together with the accompanying Despatch, be printed.  
 Debate ensued.
2. Member Sworn :—Edward Flood, Esquire, having taken the Oath, and subscribed the Roll, took his Seat on his re-election as a Member for Canterbury.
3. Message No. 4, in reference to the Separation of Moreton Bay :—The Debate on Mr. Cowper's motion, That this Message, together with the accompanying Despatch, be printed,—interrupted by Mr. Flood taking the Oath,—resumed.  
 Question put and passed.  
 Ordered to be printed.
4. Messages :—The Speaker reported that he had also received the following Messages from His Excellency the Governor General, and read the same,—  
 (2.) Moreton Bay Share of Public Debt :—  
 W. DENISON,  
*Governor General.* *Message No. 5.*  
 In the Despatch with which the Governor General has been honored by the Secretary of State, relative to the Separation of Moreton Bay from the Colony of New South Wales, and which has been laid before the Legislative Assembly, the right of the Legislatures of the two Colonies of New South Wales and Queensland to make all the necessary arrangements for the apportionment of the Debt of New South Wales has been clearly acknowledged.  
 The Governor General ventures to hope that this expression of the decision of the Imperial Government upon the mode of determining the division of the Debt, and which was unknown to the Government at the time the Legislative Assembly affirmed the Resolution contained in the Address of the 7th instant, will be satisfactory to the Assembly.  
*Government House,*  
 11 October, 1859.  
 (3.) Conveyance of Immigrants to Maryborough :—  
 W. DENISON,  
*Governor General.* *Message No. 6.*  
 In accordance with the request contained in the Address from the Legislative Assembly of 7th October, the Governor General has directed that a sum of £250 should be placed on the Estimates for 1860, for the conveyance of Immigrants from Brisbane to Maryborough.  
*Government House,*  
 11 October, 1859.

5. **Standing Orders** :—The Speaker reported that he had presented to the Governor General the Standing Orders adopted by this House on the 7th instant, and that His Excellency had been pleased to approve of the same.
6. **State Aid to Religion** :—Mr. Dickson presented a Petition from certain Inhabitants of Singleton and its neighbourhood, praying the withdrawal of State Aid to Religion. Petition received.
7. **Vacant Seat** :—The Speaker having reported that he had received a letter, dated this day, from John F. Hargrave, Esquire, resigning his Seat in this House as Member for Illawarra,—  
Mr. Cowper moved, That the Seat of John Fletcher Hargrave, Esquire, as Member for the Electoral District of Illawarra, hath become and is now vacant, by reason of the resignation thereof by the said John Fletcher Hargrave, Esquire.  
Question put and passed.
8. **Charles Skerrett** :—Mr. Black presented a Petition from Charles Skerrett, complaining of the loss, out of the Crown Law Offices, of certain Documents necessary to prove the Sale to him of certain Cattle which he was convicted of stealing, and praying redress.  
Petition received.
9. **State Aid to Religion** :—Mr. Cape presented a Petition from certain Members of the United Church of England and Ireland, and other Residents in the District of Brisbane Water, praying that the House will not sanction the abolition of State Aid to Religion, unless with ample compensation.  
Petition received.
10. **State Aid to Religion** :—Mr. Darvall presented a Petition from certain Inhabitants of the Lower Hawkesbury and Macdonald River, praying the continuance of State Aid to Religion.  
Petition received.
11. **Sydney Draymen** :—The Revd. Dr. Lang presented a Petition from certain Licensed Proprietors of Drays in the City of Sydney, complaining of the License Fee exacted from them for the benefit of the City, whilst others using vehicles in their business are exempt from payment of such fee, and praying to be relieved from the burden complained of.  
Petition received.
12. **State Aid to Religion** :—Mr. Weekes presented a Petition from certain Inhabitants of the Town of West Maitland, praying that State Aid to Religion may not be withdrawn, without ample compensation.  
Petition received.
13. **Billabong Dams** :—Mr. Hay presented a Petition from certain Licensed Occupants of Crown Lands, situated on the bank of the Colombo Creek, Murrumbidgee District, praying that in any Act passed to regulate the construction of Billabong Dams, full permission be given to the Residents on Colombo Creek to erect thereon permanent Dams of certain capacities.  
Petition received.
14. **Portrait of William Charles Wentworth, Esquire** :—Mr. Parkes moved, pursuant to notice, That in consideration of the eminent services of William Charles Wentworth, formerly and for many years one of the representatives of the City of Sydney, in obtaining Free Institutions for the Colony, this House gives authority for the Portrait of that gentleman, painted in testimony of the respect entertained for his public character by a number of his fellow colonists, to be permanently placed on the walls of its hall of meeting.  
Debate ensued.  
Mr. Dalley moved the Previous Question.  
Debate continued.  
Previous Question put,—That this Question be now put.  
The House divided.

## Ayes, 26:

Mr. Cowper.	Mr. Onkes,
Mr. Bayley.	Mr. Russell,
Mr. Robertson,	Mr. Jones,
Mr. Clements,	Mr. Plunkett,
Mr. Hodgson,	Mr. Hurley,
Mr. Morris,	Mr. Roberts,
Mr. Parkes,	Mr. Elliott,
Mr. Cummings,	Mr. Laidlaw,
Mr. Broughton,	Mr. Cape,
Mr. Egan,	Mr. Hay,
Mr. Hart,	Mr. Murray,
Mr. Ryan,	Mr. Windeyer,
Mr. Hyeronimus,	Mr. Wild.

## Noes, 26:

Mr. Weekes,	Mr. Forster,
Mr. Macalister,	Mr. Pomall,
Mr. Mort,	Mr. G. Lang,
Mr. McArthur,	Mr. Flett,
Mr. Nott,	Mr. Black,
Mr. Douglas,	Mr. Laycock,
Mr. Wilson,	Mr. Cooper,
Mr. Gray,	Mr. Flood,
Mr. Sayers,	Mr. Byrnes,
Mr. Garrett,	Mr. Dickson,
Mr. Rotton,	Rev. Dr. Lang,
Mr. Wisdom,	Mr. Walsh,
Mr. Atkinson,	Mr. Dalley.

} Tellers.

} Tellers.

And the numbers being equal, the Speaker gave his vote with the Ayes, and declared the Question to have passed in the affirmative.

Whereupon Original Question put and passed.

15. **Fijian Islands** :—Mr. McArthur moved, pursuant to amended notice,—  
(1.) That, in the opinion of this House, the value and importance of the Fijian Islands, from their geographical position—their vast natural resources—their peculiar adaptation for the growth of the cotton of commerce—the capacity of their inhabitants to appreciate and embrace the advantages of civilization—and their political and commercial relations to this Colony, render it highly desirable that they should become the possession of the British Crown.

(2.)



(2.) That the proposal made by the 'Principal' Chief to cede the Sovereignty of the Fijis to Great Britain offers a favorable opportunity to effect this object.

(3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause a Copy of the foregoing Resolutions to be transmitted to Her Majesty's Principal Secretary of State for the Colonies.

Debate ensued.

Question put and passed.

16. Postponement:—Mr. Purkes *amended* and postponed the motion standing in his name third on the Notice Paper for to-day, until Tuesday, October 25.

17. Cases tried at Parramatta in May last before the District Court Judge:—Mr. Windeyer moved; pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions in the case of one Mrs. Williamson and her Son, tried at Parramatta, on the 17th May last, before H. Cary, Esq., District Court Judge; also the Depositions in the case of one Mrs. Peckman, tried at the same place, and at the same Sessions; together with all Correspondence and Memoranda between the Attorney General and Mr. Meymott, the Crown Prosecutor, with reference to placing those persons on their trial.

Debate ensued.

Question put and passed;—

Whereupon the Attorney General laid upon the Table the Return to the said Address.

Ordered to be printed.

18. Lien on Wool Act Perpetuation Bill:—Mr. Mort moved, pursuant to notice, for leave to bring in a Bill to make perpetual the Act known as "The Lien on Wool Act." Question put and passed; *Ordered* that the mover and seconder prepare and bring in the Bill.

19. Postponements:—

(1.) Mr. Murray postponed the motions standing in his name sixth and seventh on the Notice Paper for to-day, until Friday next.

(2.) Mr. Plunkett postponed the motion standing in his name eighth on the Notice Paper for to-day, until this day week.

(3.) Mr. Weekes postponed the motions standing in the name of Mr. Dickson ninth and tenth on the Notice Paper for to-day, until this day week.

20. State-paid Clergymen:—Mr. Jones moved, pursuant to notice, That a further Return, supplementing the Return ordered on the 28rd September last, be laid on the Table of this House, shewing the date from which each Clergyman who has been in the receipt of a Stipend under Schedule C of the Constitution Act, from the 24th November, 1855, first received a Stipend from the ordinary, territorial, casual, or other revenues of the Colony; and, also, the authority under which the respective Stipends of such Clergymen were paid prior to the 24th November, 1855.

Debate ensued.

Question put and passed.

21. Lien on Wool Act Perpetuation Bill:—Mr. Mort having presented this Bill, Bill intituled, "A Bill to make perpetual the Lien on Wool Act," read a first time.

And the House continuing to sit till after midnight,—

WEDNESDAY, 12 OCTOBER, 1859.

Mr. Mort moved, That this Bill be printed, and read a second time on this day week.

Question put and passed.

22. Construction of Road between Brisbane and Maryborough:—Mr. Forster moved, pursuant to *amended* notice, That there be laid upon the Table of this House,—

(1) Copies of all Correspondence between the Executive Government and the Bench of Magistrates at Maryborough, Wide Bay, having reference to the proposed construction of a public road between Maryborough and Brisbane; also, between the Executive Government and the Committee of Public Works at Maryborough, on the same subject.

(2.) Return of all Tenders received by the Bench at Maryborough, or by the Committee of Public Works for the construction of said road, specifying names of persons tendering, and rates of tender.

(3.) Copies of Records of all proceedings of the Bench at Maryborough, or of the Committee above specified, having reference to same subject.

Debate ensued.

Question put and passed.

23. Mrs. Frances De Courcy:—Mr. Hart moved, pursuant to notice, That the Petition of Mrs. De Courcy, presented by him on the 7th instant, be printed.

Question put and passed.

Ordered to be printed.

24. Postponement:—Mr. Cummings postponed the motion standing in his name fourteenth on the Notice Paper for to-day, until Friday next.

25. Wesley College Bill:—Mr. Byrnes moved, pursuant to notice,—

(1.) That the Wesley College Bill be referred to a Select Committee.

(2.) That such Committee consist of the following Members, viz:—Mr. McArthur, Mr. Hay, Mr. Oakes, Mr. Dickson, Mr. Jones, Mr. Douglas, Mr. Murray, Mr. Elliott, and the Mover.

Question put and passed.

26. **Railway Fares** :—Mr. Atkinson, moved, pursuant to notice, That the Petition relative to the Fares on the Great Southern Line of Railway, presented by him on the 5th instant, be printed.  
Question put and passed.  
Ordered to be printed.
27. **Postponements** :—  
(1.) Mr. Murray postponed the motion standing in his name seventeenth on the Notice Paper for to day, until Friday next.  
(2.) The second reading of the Revenue and Audit Bill postponed, on motion of Mr. Morris, until this day fortnight.
28. **Police Regulation Act Amendment Bill**, on motion of Mr. Forster, read a second time ; to be considered in Committee on Thursday next.  
The House adjourned at twenty-two minutes after Twelve o'clock A.M., until Three o'clock, P.M. this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, OCTOBER 12.

### GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. Mr. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

### ORDERS OF THE DAY :—

1. Judges' Pensions Bill ; second reading.
2. Supply ; Resumption of the Committee.
3. Resumption of the adjourned Debate on Mr. Cowper's motion " That the Public Education Bill be "now" read a second time, " upon which Mr. Murray had moved, by way of amendment, That the word "now" be omitted, with a view to add at the end the words "this day six months."
4. Resumption of the adjourned Debate on Mr. Bayley's motion, " That the New Trial " Motion Bill be now read a second time."

### OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. GARRETT to move,—  
(1.) That the Mount Keira Tram Road Bill be referred to a Select Committee.  
(2.) That such Committee consist of the following Members, viz. :—Mr. Byrnes, Mr. McArthur, Mr. Richardson, Mr. Laycock, Mr. Ryan, Mr. Laidlaw, Mr. Wisdom, and the Mover.
2. Mr. CAPE to move, That the Petition from Brisbane Water, relative to State Aid to Religion, presented by him on the 11th instant, be printed.
3. Mr. DARVALL to move, That this House do now resolve itself into a Committee of the whole, to consider the Despatch relative to the Separation of Queensland, laid upon the Table of this House on the 11th instant.
4. Mr. FORSTER to move, That there be laid upon the Table of this House, copies of all Correspondence between the Executive Government, and any person or persons relative to the recent termination of the Colonial Agency for this Colony, in London.
5. Mr. HAY to move, That the Petition relative to Dams on the Billabong Creek, presented by him on the 11th instant, be printed.

### Questions :—

1. Mr. FORSTER to ask THE COLONIAL SECRETARY,—  
(1.) Has any investigation been instituted by the Executive Government of this Colony into the circumstances connected with the alleged Execution of British subjects by the French Authorities at New Caledonia ?  
(2.) Has such investigation been brought to a close ?  
(3.) If so, what steps have been taken, or are about to be taken, in consequence ?
2. Mr. GRAY to ask THE ATTORNEY GENERAL,—If it be the practice of the Crown Law Officers of the Colony to decline giving advice upon questions submitted by the Benches of Magistrates in the Interior ; and, if so, upon what grounds ?
3. Mr. BYRNES to ask THE COLONIAL SECRETARY,—Whether the Fees which have been at various times received by the Chief Clerk in the Insolvency Office, for preparing Affidavits for proof of Debts, Insolvents' Schedules, Certificates, and copies of Insolvency Proceedings, have been retained by him or paid into the Colonial Treasury ?

THURSDAY, OCTOBER 13.

### Contingent Notice of Motion :—

1. Mr. JENKINS to move, as an amendment on the first four Resolutions to be proposed in Committee of Ways and Means by Mr. Weekes,—That all the words after "That" in the first, and all the words in the remaining three Resolutions be omitted, with a view to the insertion in their place of the words following :—"the present duties of Customs chargeable on Tea and Sugar imported into this Colony be maintained, but that the Revenue thus derived shall in future, (or after the 30th June, 1860) be set apart as a distinct Fund for the promotion of Public Education, (especially for the establishment and maintenance of elementary schools throughout the Colony)."

GOVERNMENT

## GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. ROBERTSON to move for leave to bring in a Bill to repeal the Act 20 Victoria No. 38, and styled "The Tolls Amendment Act of 1857" commonly called "The Broad "Wheels Amendment Act,"

## ORDERS OF THE DAY:—

1. Public Worship Bill; second reading.
2. Ways and Means; resumption of the Committee.

## OTHER BUSINESS—ORDER OF THE DAY:—

1. Police Regulation Act Amendment Bill; to be considered in Committee.

## Question:—

1. MR. ROBERTS to ask THE ATTORNEY GENERAL,—Is it the intention of the Government at any, and what period of the present Session of Parliament, to bring in a Bill for the amendment of the Insolvent Laws; if so, in what respect; and will the contemplated measure make any, and what provisions for the abolition or modification of existing arrangements as to Official Assignees?

FRIDAY, OCTOBER 14.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MORRIS to move for leave to bring in a Bill to prohibit the importation of sheep, cattle, or other animals, for the purpose of preventing the introduction of contagious or infectious disorders.
2. DR. LANG to move for leave to bring in a Bill to amend an Act to establish and incorporate a Company, to be called the Moreton Bay Immigration and Land Company.
3. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.
4. MR. MACLEAY to move, That there be laid upon the Table of this House, a Return shewing,—
  - (1.) The population and area in square miles of each Police District of the Colony, with the number of Police in each during the year 1859, and the number proposed for 1860.
  - (2.) The number of cases tried, and the amount of fees and fines, at the Courts of Petty Sessions in each Police District during the year 1858, and the first nine months of 1859.
5. MR. MORRIS to move, That there be laid upon the Table of this House, any correspondence between the Government and its Law Advisers relative to the right of the Aboriginal Natives to exercise the elective franchise.
6. MR. HAY to move,—
  - (1.) That the St. Andrew's College Bill be referred to a Select Committee.
  - (2.) That such Committee consist of Mr. Byrnes, Mr. Elliott, Mr. Laidlaw, Revd. Dr. Lang, Mr. Macalister, Mr. Macleay, Mr. Morris, Mr. McArthur, Mr. Plunkett, and the Mover.
7. MR. HODGSON to move, That the Petition from certain inhabitants of the City of Newcastle, presented by him on the 4th instant, representing Petitioners' belief that Lieutenant Seaver, R.N., has been treated with undeserved severity, and praying that compensation may be awarded to him, be printed.
8. MR. NORT to move, that there be laid on the Table of this House,—
  - (1.) A Return shewing the amount of money placed at the disposal of the Bench of Magistrates, Tenterfield, or any other Bench of Magistrates, or Road Trustees for the repairs of the road from Tenterfield to Grafton, from 1st July, 1858, to the present time.
  - (2.) The amount drawn by such Trustees during the same period, shewing by whom drawn.
  - (3.) Copies of all correspondence between the Government and any Trustees or Surveyors for these roads since 1 July, 1858.
9. MR. MARTIN to move the following Resolutions,—
  - (1.) That the chief advantage which Governments are able to afford is a pure and efficient administration of justice.
  - (2.) That such purity and efficiency cannot be reasonably expected where the higher appointments connected with such administration are conferred upon persons, not with reference to their fitness, but for the purpose of promoting the party views of the Government appointing them.
  - (3.) That, in several instances of late, appointments have been so made, and under circumstances such as to justify the most serious apprehension of danger to the public interests.
  - (4.) That the conduct of His Excellency's present Advisers in recommending such appointments, and otherwise in reference to the administration of justice, has been such as to call for the marked condemnation of this House.
  - (5.) That an Address, embodying the foregoing Resolutions, be presented to His Excellency the Governor General.

10. MR. SCOTT to move,—
1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board.
    - (2.) Upon the operation of the present system of Tonnage Dues;—and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
11. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
- (1.) A numerical Return of the convicts waiting trial or under sentence in the different gaols and the penal establishment of Cockatoo Island, shewing, in separate columns, as far as it may be practicable, the number of persons who can neither read nor write; the number of persons who can read and write imperfectly; the number of persons who can read and write well; the number of persons who have had a superior education; distinguishing males from females, and ages as follows; under 14—14 and under 25—25 and under 50—50 and upwards, arranged under the different classes of offences.
  - (2.) A similar educational Return of the inmates of the Sydney and Liverpool Benevolent Asylums, but giving in addition the number of children under 5 years old.
12. DR. LANG to move, That the Petition of certain Dray Proprietors, presented by him on the 11th instant, be printed.
13. MR. DICKSON to move, That the Petition from Singleton, relative to State Aid to Religion, presented by him on the 11th instant, be printed.
14. MR. WEEKES to move, That the Petition from West Maitland, relative to State Aid to Religion, presented by him on the 11th instant, be printed.
15. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all persons sentenced to imprisonment or hard labour in this Colony during the last ten years, stating the circumstances under which they were convicted, the judgments awarded in each case, the names of those whose sentences have been since commuted, the nature and extent of such commutations, the Minutes of the Executive Council awarding them, and the names of the persons on whose recommendation, or at whose solicitation, such commutations were made.
16. MR. MURRAY to move,—
- (1.) That a Select Committee be appointed to inquire into the state of Unproclaimed or Unsurveyed Roads in this Colony.
  - (2.) That such Committee consist of Mr. Clements, Mr. Lord, Mr. Samuel, Mr. Macleay, Mr. Robertson, Mr. Laidlaw, Mr. Hurley, Mr. Ryan, Mr. Hancock, and the Mover.
17. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimate for the year 1859 the sum of £50,000, for the repairs of Roads and Bridges, and erection of new Bridges, in the Western District.
18. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.

#### ORDER OF THE DAY:—

1. Resumption of the Adjourned Debate on the 'Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill be now read a second time."

#### Question:—

1. MR. BOTTON to ask THE COLONIAL SECRETARY,—If he has any objection to state what are the intentions of the Government, with regard to the further extension of Railway Communication beyond the limits already authorized by Parliament?

#### TUESDAY, OCTOBER 18.

#### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. DARVALL to move,—
  - (1) That the Separation of Queensland from New South Wales imposes upon the Government the duty of revising the Estimates, and of reducing the Public Expenditure of this Colony to a scale commensurate with its diminished Territory and Revenue.
  - (2.) That a copy of this Resolution be transmitted in an Address to His Excellency the Governor General.
2. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A nominal list of all the Members of the Executive Council since the introduction of Responsible Government.
  - (2.) Whether any of such Members ceased to belong to the said Executive Council—at what time—and whether by resignation or otherwise.

- (3.) A nominal list of the Members of the said Executive Council who have been, or are regularly summoned to the sittings thereof, stating the period during which they have been so summoned.
- (4.) Also, specifying those Members who have not been regularly, or are not now so summoned,—and at what time summonses ceased to be sent to each of such Members.
- (5.) All opinions given by the Crown Law Officers on the question whether any other than the Ministers for the time being belong to the said Executive Council, or on any question of a similar nature.
- (6.) The Despatches from the Home Government, and any other Documents relating to the resignation or holding of seats, in the Executive Council.
3. MR. DICKSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all Contracts entered into between Adam Nixon and the Government, or any Officer of the Government, with all correspondence relating thereto.
4. MR. DICKSON to move, That the Petition of Adam Nixon, of West Maitland, presented by him on the 6th instant, be printed.

ORDER OF THE DAY :—

1. Lien on Wool Act Perpetuation Bill ; second reading.

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FRIDAY, OCTOBER 21.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WILSON to move,—
- (1.) That the export tax on gold, is a direct tax on the most important branch of Colonial industry, and being levied on a particular class, is repugnant to justice and the principles of equal taxation, and ought therefore to be repealed.
- (2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.
2. MR. DARK to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.
3. MR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd ultimo, be now taken into consideration.
4. MR. DOUGLAS to move, That the apportionment of the Public Debt, in the event of the Separation of Moreton Bay, cannot be lawfully effected without the consent of the respective Legislatures.
5. MR. CUMMINGS to move, That there be laid upon the Table of this House:—
- (1.) A Return shewing the amount granted and expended from 1st August, 1856, to 1st August, 1859, for the repairs of the main line of road and bridges from the western bank of the Nepean River, to the eastern bank of the Macquarie River.
- (2.) A Return shewing the names of the Surveyor or Assistant Surveyor, Overseers or Assistant Overseers, and the amount of salary and allowances paid to each, weekly, monthly, or by the year.
- (3.) A Return shewing the number of yards of macadamized, log, or gravelled roads repaired, and where such repairs were effected, the cost per yard, the name of the Contractor or Contractors, whether tendered for by private tender, or by public notice in the *Government Gazette*, and if by private tender, on what authority.
- (4.) A Return shewing the number of men employed as laborers daily or weekly, the amount of daily, weekly, or monthly wages paid them, the work performed, and on which portion of the road, and the description of the materials used.
- (5.) A Return shewing the number of horses, carts, or drays employed on said road, the cost per day or week, and the names of the owners of such horses, carts, or drays.
- (6.) A Return shewing the amount expended for repairs of bush tracks off the main line of road, and by what authority such expenditure was made.
6. MR. CUMMINGS to move, That there be laid upon the Table of this House,—
- (1.) A Return showing the amount granted and expended from 1st August, 1856, to 1st August, 1859, for the repairs of the Mudgee line of road, and for bridges from Hassan's Walls to Mudgee.
- (2.) A Return shewing the names of the Surveyor, Assistant Surveyor, Overseers, or Assistant Overseers, and amount of salaries and allowances paid them respectively, by the week, month, or year, as the case may be.
- (3.) A Return showing the number of yards of macadamized, or gravelled roads, the cost per yard, if by contract, the name of the Contractor or Contractors, and upon what part of said road the work has been performed.
- (4.) A Return shewing the actual amount expended, and materials used, on each particular portion of said road.
- (5.) A Return shewing the number of men employed as laborers, daily, weekly, or monthly, the amount of wages paid to each, the number of horses, carts or drays employed, the cost per day, week, or month, and the names of the owner or owners of such horses, carts, or drays.

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TUESDAY,

TUESDAY, OCTOBER 25.

*Contingent Notice of Motion :—*

1. MR. HODGSON to move, *as an amendment on Mr. Parkes' motion*,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its *affectionate loyalty to Her Majesty's Person and Government*, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

*OTHER BUSINESS—NOTICE OF MOTION :—*

1. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows:—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.

*ORDER OF THE DAY :—*

1. Revenue and Audit Bill; second reading.

THURSDAY, OCTOBER 27.

*GOVERNMENT BUSINESS—ORDERS OF THE DAY.*

1. Crown Lands Sales Bill; second reading.
2. Crown Lands Occupation Bill; second reading.
3. Leased Lands Occupation Bill; second reading.

DANIEL COOPER,  
*Speaker.*

No. 25.

# VOTES AND PROCEEDINGS

## OF THE

# LEGISLATIVE ASSEMBLY.

WEDNESDAY, 12 OCTOBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Papers :—
  1. Mr. Robertson laid upon the Table the undermentioned Paper :—  
(1.) Additional Local Court Rules—Upper Araluen.  
Ordered to be printed.
  2. Mr. Cowper laid upon the Table the undermentioned Papers :—  
(2.) Return of Receipts and Expenditure on account of the Building of the Sydney University.  
(3.) Return to the Order, in reference to the Queanbeyan Police, made by this House, on motion of Mr. Forster, on the 28th ultimo.  
Ordered to be printed.
2. State Aid to Religion :—Mr. Scott presented a Petition from certain Members of the Church of England of the United Parishes of Hexham and Mount Vincent, praying that the present grant in aid of Public Worship may not be withdrawn unless upon ample compensation.  
Petition received.
3. Public Education Bill :—Mr. Cowper presented a Petition from certain Colonists of New South Wales, praying the House to assent to this Bill.  
Petition received.
4. National System of Education :—Mr. Oxley presented a Petition from certain gentlemen whose names are thereto subscribed, praying this House to maintain the National System of Education unimpaired, as the best system of Popular Education that has been devised for this Colony.  
Petition received.
5. Postponements :—  
(1.) Mr. Robertson postponed the motion standing in his name on the Notice Paper of Government Business for to-day, until this day fortnight.  
(2.) The second reading of the Judges' Pensions Bill postponed, on motion of Mr. Cowper, until to-morrow.
6. Supply :—Mr. Weekes moved, "That" the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty for the service of the year 1859-60.  
Debate ensued.  
Mr. Piddington moved, That the Question be amended by the omission of all the words thereof following the word "That" at the commencement, with a view to the insertion in their place of the words "the consideration of the second Order of the Day be postponed until the third Order of the Day shall have been disposed of."  
Debate continued.  
Question put,—That the words proposed to be omitted stand part of the Question.  
The House divided.

Ayes, 32.

Mr. Cowper,	Mr. Oxley,
Mr. Bayley,	Mr. Onkes,
Mr. Flood,	Mr. Jones,
Mr. Robertson,	Mr. Dalley,
Mr. Weekes,	Mr. Wisdom,
Mr. Cloke,	Mr. Flett,
Mr. Rotton,	Mr. Pennell,
Mr. Black,	Mr. Garrett,
Mr. Gray,	Rev. Dr. Lang,
Mr. Cooper,	Mr. Campbell,
Mr. Asher,	Mr. Macalister,
Mr. Douglas,	Mr. Byrnes,
Mr. Mort,	Mr. Arnold,
Mr. Wilson,	Mr. Russell,
Mr. Walsh,	Mr. Dickson,
Mr. G. Lang,	Mr. Loder.

} Tellers.

Noes, 28.

Mr. Murray,	Mr. Hurley,
Mr. Morris,	Mr. Darvall,
Mr. Martin,	Mr. Hodgson,
Mr. Hay,	Mr. Hart,
Mr. Windeyer,	Mr. Wild,
Mr. Egan,	Mr. Cape,
Mr. Jenkins,	Mr. Clements,
Mr. Macleay,	Mr. Roberts,
Mr. Hamilton,	Mr. Elliott,
Mr. Forster,	Mr. Plunkett,
Mr. Laidlaw,	Mr. Parkes,
Mr. Scott,	Mr. Cummings,
Mr. Hyeronimus,	Mr. Nott,
Mr. Ryan,	Mr. Piddington.

} Tellers.

Original Question put and passed ;—

Whereupon

Whereupon the Speaker left the Chair, and the House resolved itself into a Committee of the whole accordingly.

The Chairman having reported progress, and obtained leave to sit again so soon as a point of Order which had arisen in the Committee shall have been decided by the House,—then stated that an Item in the Supplementary Estimate for 1859 being under consideration, an Honorable Member had moved that the Item be postponed, and another Honorable Member, calling attention to the rule laid down at page 531 in the new edition of May that a motion for postponing a vote in Committee of Supply cannot be entertained, and desiring his opinion upon the applicability of that rule to the proceedings of similar Committees of this House, he had expressed an opinion in favor of maintaining the previous practice in Committees of this House, which permitted of the postponement of Items, which, though considered in part, had not been amended, upon which it was resolved that the Point of Order be submitted to the House for its opinion.—

And the Speaker stating that if it were insisted upon, he apprehended the First Standing Order would bind the House to the adoption of the practice of Parliament, as far as it can be applied,—

And a Debate arising thereupon,—

Mr. Murray moved, That the applicability of the new Rules of Parliament, in reference to Proceedings in Committee of Supply, be referred for consideration and report to the Standing Orders Committee.

And the House continuing to sit till after Midnight,—

THURSDAY, 13 OCTOBER, 1859.

Question put and passed ;—

Whereupon the Committee resumed.

The Chairman reported progress, and obtained leave to sit again at a later hour of the day.

7. Postponements :—

(1.) The Resumption of the adjourned Debate on Mr. Cowper's motion, "That the Public Education Bill be "now" read a second time," upon which Mr. Murray had moved, by way of amendment, That the word "now" be omitted, with a view to add at the end the words "this day six months,"—postponed, on motion of Mr. Cowper, until Wednesday next.

(2.) The Resumption of the adjourned Debate on Mr. Bayley's motion, "That the "New Trial Motion Bill be now read a second time,"—postponed, on motion of Mr. Cowper, until to-morrow.

8. Mount Keira Tramroad Bill :—Mr. Garrett moved, pursuant to amended notice,—

(1.) That the Mount Keira Tramroad Bill be referred to a Select Committee.

(2.) That such Committee consist of the following Members, viz :—Mr. Byrnes, Mr. McArthur, Mr. Richardson, Mr. Laycock, Mr. Ryan, Mr. Laidlaw, Mr. Wisdom, Mr. Robertson, and the Mover.

Question put and passed.

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

"LEGISLATIVE ASSEMBLY.

"By the Honorable the Speaker of the Legislative Assembly  
"of New South Wales.

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

"being a Member of the said Assembly; to be a Member of the Committee of  
"Elections and Qualifications in the said Act referred to, during the present Session  
"of the Assembly aforesaid.

"Given under my Hand, at the Legislative Assembly Chamber,  
"Macquarie-street, Sydney, this thirteenth day of October,  
"in the year of our Lord one thousand eight hundred and  
"fifty-nine.

"DANIEL COOPER,  
"Speaker."

10. Postponements :—

(1.) Mr. Morris postponed the motion standing in the name of Mr. Cape second on the Notice Paper of Other Business for to-day, until Friday next.

(2.) Mr. Norris postponed the motion standing in the name of Mr. Darvall third on the Notice Paper of Other Business for to-day, until Friday next.

(3.) Mr. Forster postponed the motion standing in his name fourth on the Notice Paper of Other Business for to-day, until to-morrow.

11. Billabong Dams :—Mr. Hay moved, pursuant to notice, That the Petition relative to Dams on the Billabong Creek, presented by him on the 11th instant, be printed.

Question put and passed.

Ordered to be printed.

The House adjourned at a quarter before One o'clock, A.M., until Three o'clock, P.M., this day.

NOTICES



## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, OCTOBER 13.

*Contingent Notice of Motion :—*

1. MR. JENKINS to move, *as an amendment on the first four Resolutions to be proposed in Committee of Ways and Means by Mr. Wrekes*,—That all the words after "That" in the first, and all the words in the remaining three Resolutions be omitted, with a view to the insertion in their place of the words following:—"the present duties of Customs chargeable on Tea and Sugar imported into this Colony be maintained, but that the Revenue thus derived shall in future, (or after the 30th June, 1860) be set apart as a distinct Fund for the promotion of Public Education, (especially for the establishment and maintenance of elementary schools throughout the Colony)."

## GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to repeal the Act 20 Victoria No. 38, and styled "The Tolls Amendment Act of 1857" commonly called "The Broad Wheels Amendment Act."

## ORDERS OF THE DAY :—

1. Public Worship Bill; second reading.
2. Ways and Means; resumption of the Committee.
3. Judges' Pensions Bill; second reading.
4. Supply; Resumption of the Committee.
5. Resumption of the adjourned Debate on Mr. Bayley's motion, "That the New Trial Motion Bill be now read a second time."

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. OXLEY to move, That the Petition relative to the National System of Education, presented by him on the 12th instant, be printed.
2. MR. FORSTER to move, That there be laid upon the Table of this House, copies of all Correspondence between the Executive Government, and any person or persons relative to the recent termination of the Colonial Agency for this Colony, in London.

## ORDER OF THE DAY :—

1. Police Regulation Act Amendment Bill; to be considered in Committee.

*Question :—*

1. MR. ROBERTS to ask THE ATTORNEY GENERAL,—Is it the intention of the Government at any, and what period of the present Session of Parliament, to bring in a Bill for the amendment of the Insolvent Laws; if so, in what respect; and will the contemplated measure make any, and what, provisions for the abolition or modification of existing arrangements as to Official Assignees?

FRIDAY, OCTOBER 14.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MORRIS to move for leave to bring in a Bill to prohibit the importation of sheep, cattle, or other animals, for the purpose of preventing the introduction of contagious or infectious disorders.
2. DR. LANG to move for leave to bring in a Bill to amend an Act to establish and incorporate a Company, to be called the Moreton Bay Immigration and Land Company.
3. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.
4. MR. MACLEAY to move, That there be laid upon the Table of this House, a Return shewing,—
  - (1.) The population and area in square miles of each Police District of the Colony, with the number of Police in each during the year 1859, and the number proposed for 1860.
  - (2.) The number of cases tried, and the amount of fees and fines, at the Courts of Petty Sessions in each Police District during the year 1858, and the first nine months of 1859.
5. MR. MORRIS to move, That there be laid upon the Table of this House, any correspondence between the Government and its Law Advisers relative to the right of the Aboriginal Natives to exercise the elective franchise.
6. MR. HAY to move,—
  - (1.) That the St. Andrew's College Bill be referred to a Select Committee.
  - (2.) That such Committee consist of Mr. Byrnes, Mr. Elliott, Mr. Laidlaw, Revd. Dr. Lang, Mr. Macalister, Mr. Macleay, Mr. Morris, Mr. McArthur, Mr. Plunkett, and the Mover.
7. MR. HODGSON to move, That the Petition from certain inhabitants of the City of Newcastle, presented by him on the 4th instant, representing Petitioners' belief that Lieutenant Seaver, R.N., has been treated with undeserved severity, and praying that compensation may be awarded to him, be printed.

8. MR. NOTT to move, that there be laid on the Table of this House,—
  - (1.) A Return shewing the amount of money placed at the disposal of the Bench of Magistrates, Tenterfield, or any other Bench of Magistrates, or Road Trustees for the repairs of the road from Tenterfield to Grafton, from 1st July, 1858, to the present time.
  - (2.) The amount drawn by such Trustees during the same period, shewing by whom drawn.
  - (3.) Copies of all correspondence between the Government and any Trustees or Surveyors for these roads since 1 July, 1858.
9. MR. MARTIN to move the following Resolutions,—
  - (1.) That the chief advantage which Governments are able to afford is a pure and efficient administration of justice.
  - (2.) That such purity and efficiency cannot be reasonably expected where the higher appointments connected with such administration are conferred upon persons, not with reference to their fitness, but for the purpose of promoting the party views of the Government appointing them.
  - (3.) That, in several instances of late, appointments have been so made, and under circumstances such as to justify the most serious apprehension of danger to the public interests.
  - (4.) That the conduct of His Excellency's present Advisers in recommending such appointments, and otherwise in reference to the administration of justice, has been such as to call for the marked condemnation of this House.
  - (5.) That an Address, embodying the foregoing Resolutions, be presented to His Excellency the Governor General.
10. MR. SCOTT to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board.
    - (2.) Upon the operation of the present system of Tonnage Dues; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
11. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A numerical Return of the convicts waiting trial or under sentence in the different gaols and the penal establishment of Cockatoo Island, shewing, in separate columns, as far as it may be practicable, the number of persons who can neither read nor write; the number of persons who can read and write imperfectly; the number of persons who can read and write well; the number of persons who have had a superior education; distinguishing males from females, and ages as follows; under 14—14 and under 25—25 and under 50—50 and upwards, arranged under the different classes of offences.
  - (2.) A similar educational Return of the inmates of the Sydney and Liverpool Benevolent Asylums, but giving in addition the number of children under 5 years old.
12. DR. LANG to move, That the Petition of certain Dray Proprietors, presented by him on the 11th instant, be printed.
13. MR. DICKSON to move, That the Petition from Singleton, relative to State Aid to Religion, presented by him on the 11th instant, be printed.
14. MR. WEEKES to move, That the Petition from West Maitland, relative to State Aid to Religion, presented by him on the 11th instant, be printed.
15. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all persons sentenced to imprisonment or hard labour in this Colony during the last ten years, stating the circumstances under which they were convicted, the judgments awarded in each case, the names of those whose sentences have been since commuted, the nature and extent of such commutations, the Minutes of the Executive Council awarding them, and the names of the persons on whose recommendation, or at whose solicitation, such commutations were made.
16. MR. MURRAY to move,—
  - (1.) That a Select Committee be appointed to inquire into the state of Unproclaimed or Unsurveyed Roads in this Colony.
  - (2.) That such Committee consist of Mr. Clements, Mr. Lord, Mr. Samuel, Mr. Macleay, Mr. Robertson, Mr. Laidlaw, Mr. Hurley, Mr. Ryan, Mr. Handcock, and the Mover.
17. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimate for the year 1859 the sum of £50,000, for the repairs of Roads and Bridges, and erection of new Bridges, in the Western District.
18. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
19. MR. SCOTT to move, That the Petition from Hexham and Mount Vincent, relative to State Aid to Religion, presented by him on the 12th instant, be printed.

20. Mr. CAPE to move, That the Petition from Brisbane Water, relative to State Aid to Religion, presented by him on the 11th instant, be printed.
21. Mr. DARVALL to move, That this House do now resolve itself into a Committee of the whole, to consider the Despatch relative to the Separation of Queensland, laid upon the Table of this House on the 11th instant.

ORDER OF THE DAY:—

1. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill be now read a second time."

Question:—

1. Mr. ROTTON to ask THE COLONIAL SECRETARY,—If he has any objection to state what are the intentions of the Government, with regard to the further extension of Railway Communication beyond the limits already authorized by Parliament?

TUESDAY, OCTOBER 18.

OTHER BUSINESS—NOTICES OF MOTION:—

1. Mr. DARVALL to move,—  
 (1) That the Separation of Queensland from New South Wales imposes upon the Government the duty of revising the Estimates, and of reducing the Public Expenditure of this Colony to a scale commensurate with its diminished Territory and Revenue.  
 (2.) That a copy of this Resolution be transmitted in an Address to His Excellency the Governor General.
2. Mr. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—  
 (1.) A nominal list of all the Members of the Executive Council since the introduction of Responsible Government.  
 (2.) Whether any of such Members ceased to belong to the said Executive Council—at what time—and whether by resignation or otherwise.  
 (3.) A nominal list of the Members of the said Executive Council who have been, or are regularly summoned to the sittings thereof, stating the period during which they have been so summoned.  
 (4.) Also, specifying those Members who have not been regularly, or are not now so summoned,—and at what time summonses ceased to be sent to each of such Members.  
 (5.) All opinions given by the Crown Law Officers on the question whether any other than the Ministers for the time being belong to the said Executive Council, or on any question of a similar nature.  
 (6.) The Despatches from the Home Government, and any other Documents relating to the resignation or holding of seats, in the Executive Council.
3. Mr. DICKSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all Contracts entered into between Adam Nixon and the Government, or any Officer of the Government, with all correspondence relating thereto.
4. Mr. DICKSON to move, That the Petition of Adam Nixon, of West Maitland, presented by him on the 6th instant, be printed.

ORDER OF THE DAY:—

1. Lien on Wool Act Continuation Bill; second reading.

WEDNESDAY, OCTOBER 19.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Resumption of the adjourned Debate on Mr. Cowper's motion, "That the Public Education Bill be "now" read a second time," upon which Mr. Murray had moved, by way of amendment, That the word "now" be omitted, with a view to add at the end the words "this day six months."

FRIDAY, OCTOBER 21.

OTHER BUSINESS—NOTICES OF MOTION:—

1. Mr. WILSON to move,—  
 (1.) That the export tax on gold, is a direct tax on the most important branch of Colonial industry, and being levied on a particular class, is repugnant to justice and the principles of equal taxation, and ought therefore to be repealed.  
 (2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.

2. MR. DARK to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.
3. DR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd ultimo, be now taken into consideration.
4. MR. DOUGLAS to move, That the apportionment of the Public Debt, in the event of the Separation of Moreton Bay, cannot be lawfully effected without the consent of the respective Legislatures.
5. MR. CUMMINGS to move, That there be laid upon the Table of this House,—
  - (1.) A Return shewing the amount granted and expended from 1st August, 1856, to 1st August, 1859, for the repairs of the main line of road and bridges from the western bank of the Nepean River, to the eastern bank of the Macquarie River.
  - (2.) A Return shewing the names of the Surveyor or Assistant Surveyor, Overseers or Assistant Overseers, and the amount of salary and allowances paid to each, weekly, monthly, or by the year.
  - (3.) A Return shewing the number of yards of macadamized, log, or gravelled roads repaired, and where such repairs were effected, the cost per yard, the name of the Contractor or Contractors, whether tendered for by private tender, or by public notice in the *Government Gazette*, and if by private tender, on what authority.
  - (4.) A Return shewing the number of men employed as laborers daily or weekly, the amount of daily, weekly, or monthly wages paid them, the work performed, and on which portion of the road, and the description of the materials used.
  - (5.) A Return shewing the number of horses, carts, or drays employed on said road, the cost per day or week, and the names of the owners of such horses, carts, or drays.
  - (6.) A Return shewing the amount expended for repairs of bush tracks off the main line of road, and by what authority such expenditure was made.
6. MR. CUMMINGS to move, That there be laid upon the Table of this House,—
  - (1.) A Return shewing the amount granted and expended from 1st August, 1856, to 1st August, 1859, for the repairs of the Mudgee line of road, and for bridges from Hassan's Walls to Mudgee.
  - (2.) A Return shewing the names of the Surveyor, Assistant Surveyor, Overseers, or Assistant Overseers, and amount of salaries and allowances paid them respectively, by the week, month, or year, as the case may be.
  - (3.) A Return shewing the number of yards of macadamized, or gravelled roads, the cost per yard, if by contract, the name of the Contractor or Contractors, and upon what part of said road the work has been performed.
  - (4.) A Return shewing the actual amount expended, and materials used, on each particular portion of said road.
  - (5.) A Return shewing the number of men employed as laborers, daily, weekly, or monthly, the amount of wages paid to each, the number of horses, carts or drays employed, the cost per day, week, or month, and the names of the owner or owners of such horses, carts, or drays.

#### TUESDAY, OCTOBER 25.

##### *Contingent Notice of Motion:—*

1. MR. HODGSON to move, *as an amendment on Mr. Parkes' motion*,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its *affectionate loyalty* to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

##### OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows:—
  - (1) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.

(5.)

(5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.

**ORDER OF THE DAY :—**

1. Revenue and Audit Bill; second reading.

**WEDNESDAY, OCTOBER 26.**

**GOVERNMENT BUSINESS—NOTICE OF MOTION.**

1. Mr. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

**THURSDAY, OCTOBER 27.**

**GOVERNMENT BUSINESS—ORDERS OF THE DAY.**

1. Crown Lands Sales Bill; second reading.
2. Crown Lands Occupation Bill; second reading.
3. Leased Lands Occupation Bill; second reading.

**DANIEL COOPER,**  
*Speaker.*



No. 26.

**VOTES AND PROCEEDINGS**

OF THE

**LEGISLATIVE ASSEMBLY.**

THURSDAY, 13 OCTOBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
**Export Duty on Gold :—**  
 (1.) Mr. Wisdom presented a Petition from certain Gold Miners, Traders, and others residing in the Sofala District of the Western Gold Fields, complaining of the Export Duty on Gold as a great burden on those who depend solely on Gold Mining for support, and praying the abolition thereof.  
 Petition received.  
 (2.) Mr. Wisdom presented a Petition from certain Gold Miners, Traders, and others residing on the Western Gold Fields, with a similar complaint and prayer.  
 Petition received.
2. **State Aid to Religion :—**Mr. Walsh presented a Petition from certain Inhabitants of the Upper District of Paterson, praying that the present grant in aid of religion may not be withdrawn unless upon ample compensation.  
 Petition received.
3. **Paper :—**Mr. Cowper laid upon the Table, Return to the Order, in reference to the distribution of the Police Force, made by this House, on motion of Mr. Forster, on the 28th ultimo.  
 Ordered to be printed.
4. **State Aid to Religion :—**Mr. Darvall presented a Petition from the Incumbent, Churchwardens, and certain Adult Parishioners of St. Matthew's Parish, Windsor, deprecating the withdrawal of State Aid to Religion.  
 Petition received.
5. **Seat claimed by James Hoskins, Esquire :—**Mr. Parkes presented a Petition from James Hoskins, Esquire, complaining that no Return has been made to the Writ for the Election at the late General Election of a Member to serve in this House for the Electoral District of the Gold Fields North;—claiming to have been duly elected at such General Election to serve in this House for the said Electoral District; and praying that it may be declared that he was duly elected, and ought to have been returned to serve in this House as Member for the said Electoral District.  
 Petition received.
6. **State Aid to Religion :—**  
 (1.) Mr. Walsh presented a Petition from certain Inhabitants of the District of Paterson, praying the House not to assent to any measure for the withdrawal of State Aid to Religion, unless upon ample compensation.  
 Petition received.  
 (2.) Mr. Hodgson presented a Petition from certain members of the Church of England and others in the District of Port Stephens, praying that the House will not assent to any measure for the withdrawal of State Aid to Religion, or will grant such relief as the circumstances of the case may require.  
 Petition received.
7. **Seat claimed by James Hoskins, Esquire :—**Mr. Parkes moved, without previous notice,—  
 (1.) That a Select Committee be appointed to inquire into and report upon the facts and allegations contained in the Petition of James Hoskins, Esquire.  
 (2.) That such Committee consist of Mr. Arnold, Mr. Black, Mr. Hay, Mr. Jones, Mr. Plunkett, Mr. Scott, Mr. Wilson, and Mr. Wisdom.  
 Debate ensued.  
 Question put and passed.
8. **State Aid to Religion :—**Mr. Dark presented a Petition from certain Residents in the Williams River District, praying that State Aid to Religion may not be withdrawn unless upon ample compensation.  
 Petition received.
9. **Seizure of Opium per "Kate Hooper" :—**Mr. Hay presented a Petition from certain Members of the Sydney Chamber of Commerce, Bankers, Merchants, Tradesmen, and others, alleging that a Select Committee of their body had inquired into the circumstances connected with the Seizure of Opium on board the American ship "Kate Hooper,"

"Hooper," and had reported that, in their opinion, there was no reason to suspect an intention on the part of the captain of the ship, the shippers, or consignees of the said Opium, to commit any breach of the Customs Regulations, and praying, should the facts be found to be in accordance with that opinion, that such redress may be afforded as to the House shall seem meet.

Petition received.

10. State of the Customs Laws :—Mr. Hay presented a Petition from certain Members of the Sydney Chamber of Commerce, praying the House to pass a measure, in reference to the Customs Laws, which shall be in accordance with the principles of the Code now in force in the United Kingdom.

Petition received.

11. Public Education Bill :—Mr. Gray presented a Petition from James Colley, Mayor of Kiama, for and on behalf of certain Inhabitants of Kiama in Public Meeting assembled, praying the House not to pass this Bill, but to allow the continuance of the National System of Education, with such amendments as the House may provide.

Petition received.

12. State Aid to Religion :—

(1.) Mr. Robertson presented a Petition from certain Inhabitants of the Town and District of Murrumbidgee, against the withdrawal of State Aid to Religion.

Petition received.

(2.) Mr. Cape presented a Petition from certain Inhabitants of the Wollombi District, praying that the measure now before the House for the abolition of State Aid to Religion, may not be allowed to pass, or if it do pass, that ample compensation be awarded in lieu of the sum at present appropriated to religious purposes.

Petition received.

(3.) Mr. Robertson presented a Petition from certain Inhabitants of the Town of Seone, and the Police District thereof, praying that the House will not pass the Bill that has for its object the withdrawal of the £28,000 set apart in aid of Public Worship.

Petition received.

13. Tolls Amendment Act Repeal Bill :—Mr. Robertson moved, pursuant to notice, for leave to bring in a Bill to repeal the Act 20 Victoria No. 38, and styled "The Tolls Amendment Act of 1857" commonly called "The Broad Wheels Amendment Act." Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.

14. Postponements :—

(1.) Mr. Cowper moved, That the second reading of the Public Worship Bill be postponed until this day fortnight.

Debate ensued.

Question put and passed.

(2.) The Resumption of the Committee of Ways and Means postponed, on motion of Mr. Weekes, until Wednesday next.

15. Judges' Pensions Bill :—Mr. Cowper moved, That this Bill be "now" read a second time.

Mr. Rotton moved, That the Question be amended by the omission of the word "now" with a view to add at the end the words "this day six months."

Debate ensued.

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

The House divided.

Ayes, 37.

Mr. Cowper,	Mr. Murray,
Mr. Bayley,	Mr. Cooper,
Mr. Robertson,	Mr. Broughton,
Mr. Weekes,	Mr. Nott,
Mr. Walsh,	Mr. Loder,
Mr. McArthur,	Mr. Jones,
Mr. Windeyer,	Mr. Plunkett,
Mr. Sayers,	Mr. Hurley,
Mr. Oakes,	Mr. Douglas,
Mr. Irving,	Mr. Samuel,
Mr. Hay,	Mr. Piddington,
Mr. Morris,	Mr. Garrett,

Mr. Cape,	Rev. Dr. Lang,
Mr. Mort,	Mr. Campbell,
Mr. Russell,	Mr. Darvall,
Mr. Cummings,	Mr. Flood,
Mr. Richardson,	Mr. Wild,
Mr. Laidlaw,	Mr. Close,
Mr. Clements,	

Noes, 13.

Mr. Dark,	Mr. Pemell,
Mr. Asher,	Mr. Black,
Mr. Forster,	Mr. Parkes,
Mr. Rotton,	Mr. G. Lang,
Mr. Hieronimus,	Mr. Wilson,
Mr. Byrnes,	Mr. Wisdom,
Mr. Laycock,	

} Tellers.

Original Question put and passed ;—

16. Supply :—Whereupon Bill read a second time ; to be considered in Committee this day week. On motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty for the Service of the year 1859-60.

The Chairman having reported that there was not a Quorum present in the Committee, the House was counted, and there being twenty Members present, exclusive of the Speaker, the Committee resumed.

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



17. New Trial Motion Bill:—Mr. Forster moved, That the Resumption of the adjourned Debate on the motion of Mr. Bayley, "That this Bill be now read a second time," be postponed until Wednesday next.

Debate ensued.

Question put.

The House divided.

Ayes, 10.

Mr. Wild.	Mr. Elliott.	
Mr. Walsh.	Mr. Hurley.	
Mr. Forster.	Mr. Roberts.	
Mr. Hamilton.	Mr. Windeyer.	} Tellers.
Mr. Cummings.	Mr. Dalley.	

Noes, 27.

Mr. Cowper.	Mr. Arnold.	
Mr. Robertson.	Mr. Garrett.	
Mr. Bayley.	Mr. Parkes.	
Mr. Weekes.	Mr. Atkinson.	
Mr. Wilson.	Mr. Flett.	
Mr. Morris.	Mr. Asher.	
Mr. Close.	Mr. Laycock.	
Mr. Wisdom.	Mr. G. Lang.	
Mr. McArthur.	Mr. Broughton.	
Mr. Scott.	Mr. Oakes.	
Mr. Rotton.	Mr. Campbell.	
Mr. Irving.	Mr. Loder.	} Tellers.
Mr. Gray.	Mr. Byrnes.	
Mr. Piddington.		

Mr. Wild then moved, That this House do now adjourn.

Debate ensued.

And the House continuing to sit till after midnight,—

FRIDAY, 14 OCTOBER, 1859.

Question put.

The House divided.

Ayes, 9.

Mr. Roberts.	Mr. Hurley.	
Mr. Windeyer.	Mr. Elliott.	
Mr. Wild.	Mr. Forster.	} Tellers.
Mr. Hamilton.	Mr. Walsh.	
Mr. Cummings.		

Noes, 26.

Mr. Cowper.	Mr. Atkinson.	
Mr. Robertson.	Mr. Piddington.	
Mr. Bayley.	Mr. Laycock.	
Mr. Weekes.	Mr. Flett.	
Mr. Wilson.	Mr. Scott.	
Mr. McArthur.	Mr. Close.	
Mr. Wisdom.	Mr. Rotton.	
Mr. Gray.	Mr. G. Lang.	
Mr. Dalley.	Mr. Oakes.	
Mr. Garrett.	Mr. Campbell.	
Mr. Asher.	Mr. Arnold.	
Mr. Byrnes.	Mr. Loder.	} Tellers.
Mr. Parkes.	Mr. Morris.	

Motion made by Mr. Windeyer and Question put,—That this Debate be now adjourned until Wednesday next.

The House divided.

Ayes, 7.

Mr. Windeyer.	Mr. Cummings.	
Mr. Wild.	Mr. Roberts.	} Tellers.
Mr. Hurley.	Mr. Forster.	
Mr. Hamilton.		

Noes, 26.

Mr. Cowper.	Mr. Piddington.	
Mr. Bayley.	Mr. Scott.	
Mr. Robertson.	Mr. Close.	
Mr. Weekes.	Mr. Arnold.	
Mr. Wilson.	Mr. McArthur.	
Mr. Morris.	Mr. Byrnes.	
Mr. Laycock.	Mr. Atkinson.	
Mr. Dalley.	Mr. G. Lang.	
Mr. Parkes.	Mr. Oakes.	
Mr. Asher.	Mr. Campbell.	
Mr. Garrett.	Mr. Loder.	
Mr. Rotton.	Mr. Wisdom.	} Tellers.
Mr. Flett.	Mr. Gray.	

Motion made by Mr. Bayley, and Question, That the Order of the Day be postponed until Wednesday next,—put and passed.

18. National System of Education:—Mr. Morris moved, pursuant to notice given by Mr. Oxley, That the Petition relative to the National System of Education, presented by Mr. Oxley on the 12th instant, be printed.

Question put and passed.

Ordered to be printed.

19. Postponements:—

(1.) Mr. Forster postponed the motion standing in his name second on the Notice Paper of Other Business for to-day, until Tuesday next.

(2.) The consideration in Committee of the Police Regulation Act Amendment Bill, postponed, on motion of Mr. Forster, until Tuesday next.

The House adjourned at twenty-five minutes after Twelve o'clock, A.M., until Three o'clock, P.M., this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, OCTOBER 14.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MORRIS to move for leave to bring in a Bill to prohibit the importation of sheep, cattle, or other animals, for the purpose of preventing the introduction of contagious or infectious disorders.
2. DR. LANG to move for leave to bring in a Bill to amend an Act to establish and incorporate a Company, to be called the Moreton Bay Immigration and Land Company.
3. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.
4. MR. MACLEAY to move, That there be laid upon the Table of this House, a Return shewing,—
  - (1.) The population and area in square miles of each Police District of the Colony, with the number of Police in each during the year 1859, and the number proposed for 1860.
  - (2.) The number of cases tried, and the amount of fees and fines, at the Courts of Petty Sessions in each Police District during the year 1858, and the first nine months of 1859.
5. MR. MORRIS to move, That there be laid upon the Table of this House, any correspondence between the Government and its Law Advisers relative to the right of the Aboriginal Natives to exercise the elective franchise.
6. MR. HAY to move,—
  - (1.) That the St. Andrew's College Bill be referred to a Select Committee.
  - (2.) That such Committee consist of Mr. Byrnes, Mr. Elliott, Mr. Laidlaw, Revd. Dr. Lang, Mr. Macalister, Mr. Macleay, Mr. Morris, Mr. McArthur, Mr. Plunkett, and the Mover.
7. MR. HODGSON to move, That the Petition from certain inhabitants of the City of Newcastle, presented by him on the 4th instant, representing Petitioners' belief that Lieutenant Seaver, R.N., has been treated with undeserved severity, and praying that compensation may be awarded to him, be printed.
8. MR. NOTT to move, that there be laid on the Table of this House,—
  - (1.) A Return shewing the amount of money placed at the disposal of the Bench of Magistrates, Tenterfield, or any other Bench of Magistrates, or Road Trustees for the repairs of the road from Tenterfield to Grafton, from 1st July, 1858, to the present time.
  - (2.) The amount drawn by such Trustees during the same period, shewing by whom drawn.
  - (3.) Copies of all correspondence between the Government and any Trustees or Surveyors for these roads since 1 July, 1858.
9. MR. MARTIN to move the following Resolutions,—
  - (1.) That the chief advantage which Governments are able to afford is a pure and efficient administration of justice.
  - (2.) That such purity and efficiency cannot be reasonably expected where the higher appointments connected with such administration are conferred upon persons, not with reference to their fitness, but for the purpose of promoting the party views of the Government appointing them.
  - (3.) That, in several instances of late, appointments have been so made, and under circumstances such as to justify the most serious apprehension of danger to the public interests.
  - (4.) That the conduct of His Excellency's present Advisers in recommending such appointments, and otherwise in reference to the administration of justice, has been such as to call for the marked condemnation of this House.
  - (5.) That an Address, embodying the foregoing Resolutions, be presented to His Excellency the Governor General.
10. MR. SCOTT to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board.
    - (2.) Upon the operation of the present system of Tonnage Dues; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
11. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A numerical Return of the convicts waiting trial or under sentence in the different gaols and the penal establishment of Cockatoo Island, shewing, in separate columns, as far as it may be practicable, the number of persons who can neither read nor write; the number of persons who can read and write imperfectly; the number of persons who can read and write well; the number of persons who have had a superior education; distinguishing males from females, and ages as follows; under 14—14 and under 25—25 and under 50—50 and upwards, arranged under the different classes of offences.

(2.)

- (2) A similar educational Return of the inmates of the Sydney and Liverpool Benevolent Asylums, but giving in addition the number of children under 5 years old.
12. DR. LANG to move, That the Petition of certain Dray Proprietors, presented by him on the 11th instant, be printed.
  13. MR. DICKSON to move, That the Petition from Singleton, relative to State Aid to Religion, presented by him on the 11th instant, be printed.
  14. MR. WEEKES to move, That the Petition from West Maitland, relative to State Aid to Religion, presented by him on the 11th instant, be printed.
  15. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all persons sentenced to imprisonment or hard labour in this Colony during the last ten years, stating the circumstances under which they were convicted, the judgments awarded in each case, the names of those whose sentences have been since commuted, the nature and extent of such commutations, the Minutes of the Executive Council awarding them, and the names of the persons on whose recommendation, or at whose solicitation, such commutations were made.
  16. MR. MURRAY to move,—
    - (1.) That a Select Committee be appointed to inquire into the state of Unproclaimed or Unsurveyed Roads in this Colony.
    - (2.) That such Committee consist of Mr. Clements, Mr. Lord, Mr. Samuel, Mr. Macleay, Mr. Robertson, Mr. Laidlaw, Mr. Hurley, Mr. Ryan, Mr. Handcock, and the Mover.
  17. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimate for the year 1859 the sum of £50,000, for the repairs of Roads and Bridges, and erection of new Bridges, in the Western District.
  18. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
  19. MR. SCOTT to move, That the Petition from Hoxham and Mount Vincent, relative to State Aid to Religion, presented by him on the 12th instant, be printed.
  20. MR. CAPE to move, That the Petition from Brisbane Water, relative to State Aid to Religion, presented by him on the 11th instant, be printed.
  21. MR. DARVALL to move, That this House do now resolve itself into a Committee of the whole, to consider the Despatch relative to the Separation of Queensland, laid upon the Table of this House on the 11th instant.
  22. MR. WALSH to move, That the Petition from the Upper Paterson, relative to State Aid to Religion, presented by him on the 13th instant, be printed.
  23. MR. WALSH to move, That the Petition from the Paterson, relative to State Aid to Religion, presented by him on the 13th instant, be printed.
  24. MR. HODGSON to move, That the Petition from Port Stephens, relative to State Aid to Religion, presented by him on the 13th instant, be printed.
  25. MR. ROBERTSON to move, That the Petition from Murrumbidgee, relative to State Aid to Religion, presented by him on the 13th instant, be printed.
  26. MR. HAY to move, That the Petition relative to the Seizure of Opium on board the "Kate Hooper," presented by him on the 13th instant, be printed.
  27. MR. HAY to move, That the Petition of the Sydney Chamber of Commerce, relative to the Customs Laws, presented by him on the 13th instant, be printed.
  28. MR. ROBERTSON to move, That the Petition from Scone, relative to State Aid to Religion, presented by him on the 13th instant, be printed.
  29. MR. DARVALL to move, That the Petition from the Lower Hawkesbury and Macdonald River, relative to State Aid to Religion, presented by him on the 11th instant; and also the Petition from the Parish of St. Matthew, Windsor, upon the same subject, presented by him on the 13th instant, be printed.
  30. MR. GRAY to move, That the Petition from Kiama, relative to the Public Education Bill, presented by him on the 13th instant, be printed.
  31. MR. DARK to move, That the Petition from Dungog, relative to State Aid to Religion, presented by him on the 13th instant, be printed.
  32. MR. CAPE to move, That the Petition from Wollombi, relative to State Aid to Religion, presented by him on the 13th instant, be printed.
  33. MR. MURRAY to move, That there be laid upon the Table of this House, a nominal Return shewing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.

ORDER OF THE DAY:—

1. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill be now read a second time."

Questions:—

1. MR. ROTTON to ask THE COLONIAL SECRETARY,—If he has any objection to state what are the intentions of the Government, with regard to the further extension of Railway Communication beyond the limits already authorized by Parliament?

2. MR. LAYCOCK *to ask* THE SECRETARY FOR LANDS,—Whether the Bill for granting facilities in the Transfer of Land is to be proceeded with?
3. MR. JONES *to ask* THE SECRETARY FOR PUBLIC WORKS,—Whether the Government purpose making any further alteration in the present outlet of Wallis' Creek, with a view of deepening it to the level, and enlarging it to the capacity of the former outlet of that Creek?
4. MR. HAY *to ask* THE COLONIAL SECRETARY,—Whether it is intended to carry out the pledges of the Government, to establish Courts of Quarter Sessions and District Courts, at Deniliquin; and if the Government will bring in a Supplementary Estimate during the present Session, for the sum necessary to provide the accommodation for the safe custody of criminals there, in that case?

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TUESDAY, OCTOBER 18.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. DARVALL *to move*,—  
 (1) That the Separation of Queensland from New South Wales imposes upon the Government the duty of revising the Estimates, and of reducing the Public Expenditure of this Colony to a scale commensurate with its diminished Territory and Revenue.  
 (2.) That a copy of this Resolution be transmitted in an Address to His Excellency the Governor General.
2. MR. PLUNKETT *to move*, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—  
 (1.) A nominal list of all the Members of the Executive Council since the introduction of Responsible Government.  
 (2) Whether any of such Members ceased to belong to the said Executive Council—at what time—and whether by resignation or otherwise.  
 (3.) A nominal list of the Members of the said Executive Council who have been, or are regularly summoned to the sittings thereof, stating the period during which they have been so summoned.  
 (4.) Also, specifying those Members who have not been regularly, or are not now so summoned,—and at what time summonses ceased to be sent to each of such Members.  
 (5.) All opinions given by the Crown Law Officers on the question whether any other than the Ministers for the time being belong to the said Executive Council, or on any question of a similar nature.  
 (6.) The Despatches from the Home Government, and any other Documents relating to the resignation or holding of seats, in the Executive Council.
3. MR. DICKSON *to move*, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all Contracts entered into between Adam Nixon and the Government, or any Officer of the Government, with all correspondence relating thereto.
4. MR. DICKSON *to move*, That the Petition of Adam Nixon, of West Maitland, presented by him on the 6th instant, be printed.
5. MR. WISDOM *to move*, That the two Petitions from the Western Gold Fields, relative to the Export Duty on Gold, presented by him on the 13th instant, be printed.
6. MR. FORSTER *to move*, That there be laid upon the Table of this House, copies of all Correspondence between the Executive Government, and any person or persons relative to the recent termination of the Colonial Agency for this Colony, in London.

ORDERS OF THE DAY:—

1. Lien on Wool Act Continuation Bill; second reading.
2. Police Regulation Act Amendment Bill; to be considered in Committee.

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WEDNESDAY, OCTOBER 19.

Contingent Notice of Motion:—

1. MR. JENKINS *to move*, as an amendment on the first four Resolutions to be proposed in Committee of Ways and Means by Mr. Weekes,—That all the words after "That" in the first, and all the words in the remaining three Resolutions be omitted, with a view to the insertion in their place of the words following:—"the present duties of Customs chargeable on Tea and Sugar imported into this Colony be maintained, but that the Revenue thus derived shall in future, (or after the 30th June, 1860,) be set apart as a distinct Fund for the promotion of Public Education, (especially for the establishment and maintenance of elementary schools throughout the Colony)."

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Resumption of the adjourned Debate on Mr. Cowper's motion, "That the Public Education Bill be "now" read a second time," upon which Mr. Murray had moved, by way of amendment, That the word "now" be omitted, with a view to add at the end the words "this day six months"
2. Ways and Means; Resumption of the Committee.
3. Supply; Resumption of the Committee.
4. Resumption of the adjourned Debate on Mr. Bayley's motion, "That the New Trial " Motion Bill be now read a second time."

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THURSDAY,

THURSDAY, OCTOBER 20.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Judges' Pensions Bill; to be considered in Committee.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. COOPER to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Additional Estimates for 1860, the sum of £100, in aid of the Literary Institution at Braidwood.

FRIDAY, OCTOBER 21.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. WILSON to move,—  
 (1.) That the export tax on gold, is a direct tax on the most important branch of Colonial industry, and being levied on a particular class, is repugnant to justice and the principles of equal taxation, and ought therefore to be repealed.  
 (2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.
2. MR. DARK to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public punt at Clarence Town.
3. MR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd ultimo, be now taken into consideration.
4. MR. DOUGLAS to move, That the apportionment of the Public Debt, in the event of the Separation of Moreton Bay, cannot be lawfully effected without the consent of the respective Legislatures.
5. MR. CUMMINGS to move, That there be laid upon the Table of this House,—  
 (1.) A Return shewing the amount granted and expended from 1st August, 1856, to 1st August, 1859, for the repairs of the main line of road and bridges from the western bank of the Nepean River, to the eastern bank of the Macquarie River.  
 (2.) A Return shewing the names of the Surveyor or Assistant Surveyor, Overseers or Assistant Overseers, and the amount of salary and allowances paid to each, weekly, monthly, or by the year.  
 (3.) A Return shewing the number of yards of macadamized, log, or gravelled roads repaired, and where such repairs were effected, the cost per yard, the name of the Contractor or Contractors, whether tendered for by private tender, or by public notice in the *Government Gazette*, and if by private tender, on what authority.  
 (4.) A Return shewing the number of men employed as laborers daily or weekly, the amount of daily, weekly, or monthly wages paid them, the work performed, and on which portion of the road, and the description of the materials used.  
 (5.) A Return shewing the number of horses, carts, or drays employed on said road, the cost per day or week, and the names of the owners of such horses, carts, or drays.  
 (6.) A Return shewing the amount expended for repairs of bush tracks off the main line of road, and by what authority such expenditure was made.
6. MR. CUMMINGS to move, That there be laid upon the Table of this House,—  
 (1.) A Return shewing the amount granted and expended from 1st August, 1856, to 1st August, 1859, for the repairs of the Mudgee line of road, and for bridges from Hassan's Walls to Mudgee.  
 (2.) A Return shewing the names of the Surveyor, Assistant Surveyor, Overseers, or Assistant Overseers, and amount of salaries and allowances paid them respectively, by the week, month, or year, as the case may be.  
 (3.) A Return shewing the number of yards of macadamized, or gravelled roads, the cost per yard, if by contract, the name of the Contractor or Contractors, and upon what part of said road the work has been performed.  
 (4.) A Return shewing the actual amount expended, and materials used, on each particular portion of said road.  
 (5.) A Return shewing the number of men employed as laborers, daily, weekly, or monthly, the amount of wages paid to each, the number of horses, carts or drays employed, the cost per day, week, or month, and the names of the owner or owners of such horses, carts, or drays.

TUESDAY, OCTOBER 25.

Contingent Notice of Motion:—

1. MR. HODGSON to move, as an amendment on Mr. Parkes' motion,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

OTHER

## OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.

## ORDER OF THE DAY :—

1. Revenue and Audit Bill; second reading.

WEDNESDAY, OCTOBER 26.

## GOVERNMENT BUSINESS—NOTICE OF MOTION.

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

THURSDAY, OCTOBER 27.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Crown Lands Sales Bill; second reading.
2. Crown Lands Occupation Bill; second reading.
3. Leased Lands Occupation Bill; second reading.
4. Public Worship Bill; second reading.

FRIDAY, OCTOBER 28.

## OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. DARK to move,—
  - (1.) That a Select Committee be appointed to inquire into the present state of the Agriculturists, and the system usually adopted in reference to the growth of agricultural productions generally.
  - (2.) That such Committee consist of the following Members, viz. :—Mr. Parkes, Mr. Hodgson, Mr. Rotton, Mr. Arnold, Mr. Dickson, Mr. Irving, Mr. Windeyer, Mr. Close, Mr. Flett, and the Mover.

DANIEL COOPER,  
Speaker.

No. 27.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

FRIDAY, 14 OCTOBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Paper:—Mr. Cowper laid upon the Table, Report from the Denominational School Board for the year 1858.  
 Ordered to be printed.
2. Capital Punishments Abolition Bill:—Mr. Murray having *presented* this Bill, Bill intituled, "*A Bill to Abolish Capital Punishments*," read a first time; ordered to be printed, and read a second time this day week.
3. State Aid to Religion:—
  - (1.) Mr. Clements presented a Petition from certain Inhabitants of Bathurst, against the abolition of State Aid to Religion.  
 Petition received.
  - (2.) Mr. Close presented a Petition from certain Inhabitants of the District of Morpeth, against the abolition of State Aid to Religion.  
 Petition received.
  - (3.) Mr. Rotton presented a Petition from certain Inhabitants of the District of Hartley, against the abolition of State Aid to Religion.  
 Petition received.
  - (4.) Mr. Flood presented a Petition from certain Members of the Church of England residing at Burwood, in the Diocese of Sydney, against the abolition of State Aid to Religion.  
 Petition received.
  - (5.) Mr. Hayley presented a Petition from certain Inhabitants of the Town and District of Mudgee, against the abolition of State Aid to Religion.  
 Petition received.
4. Proceedings of Synod of Australia in 1842:—
  - (1.) The Revd. Dr. Lang presented a Petition from certain Presbyterians and other friends of Religious Liberty in the Clarence and Richmond River District, praying the appointment of a Select Committee to inquire into and report upon the proceedings of the Synod of Australia towards the Revd. Dr. Lang in the year 1842.  
 Petition received.
  - (2.) The Revd. Dr. Lang presented a Petition from certain Presbyterians and other friends of Religious Liberty at Raymond Terrace, with a similar prayer.  
 Petition received.
  - (3.) The Revd. Dr. Lang presented a Petition from certain Presbyterians and other friends of Religious Liberty at Stoney Creek Gold Fields, with a similar prayer.  
 Petition received.
5. State Aid to Religion:—
  - (1.) Mr. Darvall presented a Petition from certain adult Members of the United Church of England and Ireland in the District of Richmond, against the abolition of State Aid to Religion.  
 Petition received.
  - (2.) Mr. Dickson presented a Petition from certain Inhabitants of East Maitland, against the abolition of State Aid to Religion.  
 Petition received.
  - (3.) Mr. Wild presented a Petition from certain Members of the Church of England resident in the Parish of St. John, Camden, against the abolition of State Aid to Religion.  
 Petition received.
6. Public Education Bill:—
  - (1.) Mr. Cape presented a Petition from certain Landed Proprietors, Residents, and others, in the District of Raymond Terrace, praying that Industrial Institutions and Reformatory Institutions for Juvenile Offenders, may form a part of any system of Public Education which may receive the assent of the House.  
 Petition received.

(2.)

(2.) Mr. Cape presented a Petition from certain Inhabitants of the Electorate of Wollombi, praying that the House will not pass this Bill.  
Petition received.

37. Importation of Cattle Regulation Bill:—Mr. Morris moved, pursuant to amended notice, for leave to bring in a Bill to prohibit the importation of cattle, for the purpose of preventing the introduction of contagious or infectious disorders.  
Debate ensued.

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

8. Moreton Bay Immigration and Land Company's Incorporation Act Amendment Bill:—The Revd. Dr. Lang moved, pursuant to notice, for leave to bring in a Bill to amend an Act to establish and incorporate a Company, to be called the Moreton Bay Immigration and Land Company.

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

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

10. Police Districts Statistics:—Mr. Macleay moved pursuant to notice, That there be laid upon the Table of this House, a Return shewing,—

(1.) The population and area in square miles of each Police District of the Colony, with the number of Police in each during the year 1859, and the number proposed for 1860.

(2.) The number of cases tried, and the amount of fees and fines, at the Courts of Petty Sessions in each Police District during the year 1858, and the first nine months of 1859.

Question put and passed.

11. Exercise of the Elective Franchise by the Aborigines:—Mr. Morris moved, pursuant to notice, That there be laid upon the Table of this House, any correspondence between the Government and its Law Advisers relative to the right of the Aboriginal Natives to exercise the elective franchise.

Question put and passed.

12. St. Andrew's College Bill:—Mr. Hay moved, pursuant to notice,—

(1.) That the St. Andrew's College Bill be referred to a Select Committee.

(2.) That such Committee consist of Mr. Byrnes, Mr. Elliott, Mr. Laidlaw, Revd. Dr. Lang, Mr. Macalister, Mr. Macleay, Mr. Morris, Mr. McArthur, Mr. Plunkett, and the Mover.

And the Revd. Dr. Lang requiring that the proposed Committee be appointed by Ballot,—

Question,—That the St. Andrew's College Bill be referred to a Select Committee,—put and passed;—

Whereupon the House proceeded to the Ballot, and the Speaker declared the following Members to be, with the Mover, the Committee duly appointed, viz.:—The Revd. Dr. Lang, Mr. Macalister, Mr. Black, Mr. Macleay, Mr. Wilson, Mr. Richardson, Mr. Dickson, Mr. Robertson, and Mr. Byrnes.

13. Lieutenant Seaver, R.N.:—Mr. Hodgson moved, pursuant to notice, That the Petition from certain Inhabitants of the City of Newcastle, presented by him on the 4th instant, representing Petitioners' belief that Lieutenant Seaver, R.N., has been treated with undeserved severity, and praying that compensation may be awarded to him, be printed.

Debate ensued.

Question put and passed.

*Ordered* to be printed.

14. Repairs of Road from Tenterfield to Grafton:—Mr. Nott moved, pursuant to notice, That there be laid upon the Table of this House,—

(1.) A Return shewing the amount of money placed at the disposal of the Bench of Magistrates, Tenterfield, or any other Bench of Magistrates, or Road Trustees for the repairs of the road from Tenterfield to Grafton, from 1st July, 1858, to the present time.

(2.) The amount drawn by such Trustees during the same period, showing by whom drawn.

(3.) Copies of all correspondence between the Government and any Trustees or Surveyors for these roads since 1 July, 1858.

Debate ensued.

Question put and passed.

15. Proposed Vote of Censure on the Administration:—Mr. Martin moved, pursuant to notice, the following Resolutions,—

(1.) That the chief advantage which Governments are able to afford is a pure and efficient administration of justice.

(2.) That such purity and efficiency cannot be reasonably expected where the higher appointments connected with such administration are conferred upon persons, not with reference to their fitness, but for the purpose of promoting the party views of the Government appointing them.

(3.) That, in several instances of late, appointments have been so made, and under circumstances such as to justify the most serious apprehension of danger to the public interests.

(4.)

(::)



(4.) That the conduct of His Excellency's present Advisers, in recommending such appointments, and otherwise in reference to the administration of justice, has been such as to call for the marked condemnation of this House.

(5.) That an Address, embodying the foregoing Resolutions, be presented to His Excellency the Governor General.  
Debate ensued.

And the House continuing to sit till after midnight,—

*SATURDAY, 15 OCTOBER, 1859.*

Debate continued.

Mr. Murray moved, That this Debate be now adjourned until Tuesday next.

Debate continued.

Question put on the motion for adjournment of the Debate until Tuesday next.

The House divided.

Ayes, 26.

Mr. Hamilton,	Mr. Elliott,	
Mr. Murray,	Mr. Mort,	
Mr. Windeyer,	Mr. Hurley,	
Mr. Parkes,	Mr. Nott,	
Mr. Hart,	Mr. Macleay,	
Mr. Egan,	Mr. Hay,	
Mr. Lyons,	Mr. Walsh,	} Tellers.
Mr. Wild,	Mr. Morris.	
Mr. Broughton,		
Mr. Laidlaw,		
Mr. Forster,		
Mr. Cape,		
Mr. Martin,		
Mr. Oxley,		
Mr. Clements,		
Mr. Jenkins,		
Mr. Piddington,		
Mr. Plunkett,		

Noes, 36.

Mr. Cowper,	Mr. Jamison,	
Mr. Robertson,	Mr. Flett,	
Mr. Weekes,	Mr. Richardson,	
Mr. Bayley,	Mr. Laycock,	
Mr. Rotton,	Mr. Sayers,	
Mr. Arnold,	Mr. G. Lang,	
Mr. Cooper,	Mr. Byrnes,	
Mr. Garrett,	Mr. Close,	
Mr. Wilson,	Mr. Pemell,	
Mr. McArthur,	Mr. Irving,	
Mr. Scott,	Mr. Black,	
Mr. Asher,	Mr. Campbell,	
Mr. Gray,	Mr. Loder,	
Mr. Jones,	Mr. Dickson,	
Mr. Oakes,	Rev. Dr. Lang,	
Mr. Atkinson,	Mr. Flood,	
Mr. Douglas,	Mr. Macalister,	} Tellers.
Mr. Ryan,	Mr. Dalley.	

Mr. Cooper moved the Previous Question.

Motion made by Mr. Murray, and Question put,—That this House do now adjourn.

The House divided.

Ayes, 24.

Mr. Parkes,	Mr. Nott,	
Mr. Hamilton,	Mr. Hay,	
Mr. Laidlaw,	Mr. Walsh,	
Mr. Morris,	Mr. Broughton,	} Tellers.
Mr. Forster,	Mr. Lyons.	
Mr. Cape,		
Mr. Martin,		
Mr. Wild,		
Mr. Clements,		
Mr. Hurley,		
Mr. Egan,		
Mr. Jenkins,		
Mr. Plunkett,		
Mr. Piddington,		
Mr. Oxley,		
Mr. Mort,		
Mr. Elliott,		
Mr. Murray,		
Mr. Macleay,		

Noes, 37.

Mr. Cowper,	Mr. Ryan,	
Mr. Robertson,	Mr. Jamison,	
Mr. Weekes,	Mr. Atkinson,	
Mr. Bayley,	Mr. Richardson,	
Mr. Dickson,	Mr. Laycock,	
Mr. Close,	Mr. Sayers,	
Mr. Irving,	Mr. Jones,	
Mr. McArthur,	Mr. Rotton,	
Mr. Garrett,	Mr. Black,	
Mr. Scott,	Mr. Pemell,	
Mr. Gray,	Mr. G. Lang,	
Mr. Wilson,	Rev. Dr. Lang,	
Mr. Hart,	Mr. Campbell,	
Mr. Dalley,	Mr. Macalister,	
Mr. Asher,	Mr. Loder,	
Mr. Flood,	Mr. Arnold,	
Mr. Oakes,	Mr. Byrnes,	} Tellers.
Mr. Flett,	Mr. Cooper.	
Mr. Douglas,		

Mr. Windeyer moved, That this Debate be now adjourned until Tuesday next, and have precedence on that day of all other Business on the Paper.

Debate continued.

Question put on motion for adjournment of this Debate until Tuesday next, with precedence of all other Business on the Paper for that day.

The House divided.

Ayes, 23.

Mr. Nott,	Mr. Mort,	
Mr. Murray,	Mr. Elliott,	
Mr. Hamilton,	Mr. Macleay,	
Mr. Clements,	Mr. Hay,	
Mr. Broughton,	Mr. Walsh,	} Tellers.
Mr. Parkes,	Mr. Morris.	
Mr. Windeyer,		
Mr. Cape,		
Mr. Forster,		
Mr. Martin,		
Mr. Oxley,		
Mr. Wild,		
Mr. Jenkins,		
Mr. Hurley,		
Mr. Egan,		
Mr. Plunkett,		
Mr. Piddington,		

Noes, 34.

Mr. Cowper,	Mr. Pemell,	
Mr. Bayley,	Mr. Jamison,	
Mr. Robertson,	Mr. Flett,	
Mr. Weekes,	Mr. Flood,	
Mr. Macalister,	Mr. Richardson,	
Mr. Scott,	Mr. Irving,	
Mr. Close,	Mr. Laycock,	
Mr. McArthur,	Mr. Jones,	
Mr. Gray,	Mr. G. Lang,	
Mr. Asher,	Mr. Rotton,	
Mr. Garrett,	Mr. Black,	
Mr. Byrnes,	Mr. Loder,	
Mr. Douglas,	Rev. Dr. Lang,	
Mr. Oakes,	Mr. Campbell,	
Mr. Atkinson,	Mr. Cooper,	
Mr. Arnold,	Mr. Dickson,	} Tellers.
Mr. Wilson,	Mr. Dalley.	

Motion

Motion made by Mr. Macleay, and Question put,—That this House do now adjourn.  
The House divided.

## Ayes, 26.

Mr. Hamilton,	Mr. Wild,	
Mr. Murray,	Mr. Cape,	
Mr. Sayers,	Mr. Macleay,	
Mr. Jenkins,	Mr. Martin,	
Mr. Clements,	Mr. Hurley,	
Mr. Nott,	Mr. Hay,	
Mr. Windeyer,	Mr. Walsh,	} Tellers.
Mr. Parkes,	Mr. Morris,	
Mr. Forster,		
Mr. Mort,		
Mr. Egan,		
Mr. Elliott,		
Mr. Hyeronimus,		
Mr. Oxley,		
Mr. Broughton,		
Mr. Cummings,		
Mr. Plunkett,		
Mr. Piddington,		

## Noes, 35.

Mr. Cowper,	Mr. Flett,	
Mr. Weekes,	Mr. Jamison,	
Mr. Bayley,	Mr. Atkinson,	
Mr. Cooper,	Mr. Richardson,	
Mr. Robertson,	Mr. Byrnes,	
Mr. Flood,	Mr. Oakes,	
Mr. McArthur,	Mr. Laycock,	
Mr. Scott,	Mr. G. Lang,	
Mr. Close,	Mr. Rotton,	
Mr. Gray,	Mr. Loder,	
Mr. Asher,	Mr. Irving,	
Mr. Garrett,	Mr. Jones,	
Mr. Arnold,	Rev. Dr. Lang,	
Mr. Douglas,	Mr. Campbell,	
Mr. Ryan,	Mr. Macalister,	
Mr. Wilson,	Mr. Dickson,	} Tellers.
Mr. Pemell,	Mr. Dalley,	
Mr. Black,		

Mr. Wild moved, That this Debate be now adjourned until Tuesday next, and have precedence over all other Business on the Paper for that day.  
Debate continued.

Question put, on the motion for Adjournment of the Debate until Tuesday next, with precedence over all other Business on the Paper for that day.

The House divided.

## Ayes, 22.

Mr. Murray,	Mr. Oxley,	
Mr. Hamilton,	Mr. Piddington,	
Mr. Forster,	Mr. Macleay,	
Mr. Walsh,	Mr. Windeyer,	} Tellers.
Mr. Wild,	Mr. Jenkins,	
Mr. Parkes,		
Mr. Clements,		
Mr. Hyeronimus,		
Mr. Elliott,		
Mr. Egan,		
Mr. Cummings,		
Mr. Morris,		
Mr. Plunkett,		
Mr. Hurley,		
Mr. Martin,		
Mr. Broughton,		
Mr. Mort,		

## Noes, 34.

Mr. Garrett,	Mr. Flett,	
Mr. Cowper,	Mr. Close,	
Mr. Bayley,	Mr. Arnold,	
Mr. Sayers,	Mr. Oakes,	
Mr. McArthur,	Mr. Laycock,	
Mr. Weekes,	Mr. Jones,	
Mr. Robertson,	Mr. Rotton,	
Mr. Irving,	Mr. Byrnes,	
Mr. Jamison,	Mr. G. Lang,	
Mr. Gray,	Mr. Cooper,	
Mr. Asher,	Rev. Dr. Lang,	
Mr. Loder,	Mr. Campbell,	
Mr. Pemell,	Mr. Macalister,	
Mr. Douglas,	Mr. Dalley,	
Mr. Wilson,	Mr. Flood,	
Mr. Black,	Mr. Scott,	} Tellers.
Mr. Atkinson,	Mr. Dickson,	

Motion made by Mr. Murray, and Question put,—That this House do now adjourn until Three o'clock on Tuesday next.

The House divided.

## Ayes, 19.

Mr. Morris,	Mr. Piddington,	
Mr. Parkes,	Mr. Clements,	} Tellers.
Mr. Hamilton,	Mr. Walsh,	
Mr. Wild,		
Mr. Murray,		
Mr. Martin,		
Mr. Rotton,		
Mr. Cummings,		
Mr. Plunkett,		
Mr. Egan,		
Mr. Hyeronimus,		
Mr. Oxley,		
Mr. Jenkins,		
Mr. Hurley,		
Mr. Forster,		
Mr. Macleay,		

## Noes, 31.

Mr. Cowper,	Mr. Oakes,	
Mr. Bayley,	Mr. Byrnes,	
Mr. Robertson,	Mr. Laycock,	
Mr. Weekes,	Mr. Jones,	
Mr. Cooper,	Mr. Jamison,	
Mr. Scott,	Mr. G. Lang,	
Mr. Gray,	Mr. Rotton,	
Mr. Close,	Mr. Loder,	
Mr. Garrett,	Mr. Campbell,	
Mr. Sayers,	Mr. Irving,	
Mr. Wilson,	Mr. Macalister,	
Mr. Douglas,	Mr. Flood,	
Mr. McArthur,	Mr. Dalley,	
Mr. Pemell,	Mr. Black,	} Tellers.
Mr. Flett,	Mr. Arnold,	
Mr. Atkinson,		

Mr. Macleay moved, That this Debate be now adjourned until Three o'clock on Tuesday next, and have precedence over all other Business on the Paper for that day.

Debate ensued.

Question put on the motion for adjournment of the Debate until Three o'clock on Tuesday next, with precedence over all other Business on the Paper for that day.

The House divided.

## Ayes, 20.

Mr. Murray,	Mr. Broughton,	
Mr. Parkes,	Mr. Piddington,	
Mr. Walsh,	Mr. Egan,	} Tellers.
Mr. Windeyer,	Mr. Clements,	
Mr. Wild,		
Mr. Hamilton,		
Mr. Oxley,		
Mr. Martin,		
Mr. Forster,		
Mr. Macleay,		
Mr. Hurley,		
Mr. Plunkett,		
Mr. Morris,		
Mr. Jenkins,		
Mr. Cummings,		
Mr. Hyeronimus,		

## Noes, 31.

Mr. Cowper,	Mr. Loder,	
Mr. Bayley,	Mr. Rotton,	
Mr. Weekes,	Mr. G. Lang,	
Mr. Dalley,	Mr. Jamison,	
Mr. Black,	Mr. Jones,	
Mr. Scott,	Mr. Oakes,	
Mr. Arnold,	Mr. Laycock,	
Mr. Gray,	Mr. Byrnes,	
Mr. Garrett,	Mr. Cooper,	
Mr. Sayers,	Mr. Pemell,	
Mr. Douglas,	Mr. Flett,	
Mr. Robertson,	Mr. Atkinson,	
Mr. Flood,	Mr. Wilson,	
Mr. Macalister,	Mr. McArthur,	} Tellers.
Mr. Campbell,	Mr. Close,	
Mr. Irving,		

Debate

Debate continued.

Motion made by Mr. Forster, and Question put,—That this House do now adjourn.

The House divided.

Ayes, 18.

Mr. Egan,	Mr. Wild,	} Tellers.
Mr. Morris,	Mr. Murray,	
Mr. Parkes,	Mr. Hamilton.	
Mr. Windeyer,		
Mr. Walsh,		
Mr. Oxley,		
Mr. Martin,		
Mr. Cummings,		
Mr. Broughton,		
Mr. Piddington,		
Mr. Plunkett,		
Mr. Macleay,		
Mr. Clements,		
Mr. Forster,		
Mr. Jenkins,		

Noes, 31.

Mr. Cowper,	Mr. Atkinson,	} Tellers.
Mr. Robertson,	Mr. Penell,	
Mr. Bayley,	Mr. Flett,	
Mr. Weekes,	Mr. Laycock,	
Mr. Scott,	Mr. Jones,	
Mr. Arnold,	Mr. Oakes,	
Mr. McArthur,	Mr. G. Lang,	
Mr. Byrnes,	Mr. Rotton,	
Mr. Gray,	Mr. Loder,	
Mr. Garrett,	Mr. Irving,	
Mr. Sayers,	Mr. Campbell,	
Mr. Close,	Mr. Macalister,	
Mr. Douglas,	Mr. Flood,	
Mr. Jamison,	Mr. Dalley,	
Mr. Wilson,	Mr. Black,	
Mr. Cooper,		

Mr. Egan moved, That this Debate be now adjourned until "Tuesday next."

Debate ensued.

And Mr. Arnold offering an Amendment to omit "Tuesday next" and insert "this day six months,"—

And the Speaker ruling that the proposed Amendment could not be entertained on the ground that it was not one of the modes by which a Question may be superseded according to the practice of Parliament,—

Debate continued.

Question put on motion for adjournment of the Debate until Tuesday next.

The House divided.

Ayes, 19.

Mr. Murray,	Mr. Forster,	} Tellers.
Mr. Hamilton,	Mr. Walsh,	
Mr. Parkes,	Mr. Egan,	
Mr. Oxley,	Mr. Morris.	
Mr. Cummings,		
Mr. Martin,		
Mr. Hyeronimus,		
Mr. Broughton,		
Mr. Wild,		
Mr. Piddington,		
Mr. Windeyer,		
Mr. Plunkett,		
Mr. Macleay,		
Mr. Clements,		
Mr. Jenkins,		

Noes, 29.

Mr. Cowper,	Mr. Jamison,	} Tellers.
Mr. Bayley,	Mr. Douglas,	
Mr. Robertson,	Mr. Byrnes,	
Mr. Weekes,	Mr. Flett,	
Mr. Arnold,	Mr. Laycock,	
Mr. Black,	Mr. Jones,	
Mr. McArthur,	Mr. Oakes,	
Mr. Sayers,	Mr. Rotton,	
Mr. Scott,	Mr. Loder,	
Mr. Garrett,	Mr. Campbell,	
Mr. Gray,	Mr. Close,	
Mr. Penell,	Mr. Flood,	
Mr. G. Lang,	Mr. Macalister,	
Mr. Cooper,	Mr. Dalley,	
Mr. Atkinson,		

And Mr. Arnold offering a motion, That this Debate be now adjourned until this day six months,—

And the Speaker ruling that, for the reasons already assigned in the case of the similar motion offered by way of amendment at an earlier period of the Debate, this motion could not be entertained,—

Motion made by Mr. Windeyer, and Question put, That this House do now adjourn.

The House divided.

Ayes, 10.

Mr. Egan,	Mr. Clements,	} Tellers.
Mr. Hamilton,	Mr. Forster,	
Mr. Murray,	Mr. Walsh,	
Mr. Cummings,	Mr. Parkes,	
Mr. Oxley,		
Mr. Hyeronimus,		
Mr. Broughton,		
Mr. Piddington,		
Mr. Wild,		
Mr. Jenkins,		
Mr. Martin,		
Mr. Morris,		
Mr. Windeyer,		
Mr. Plunkett,		
Mr. Macleay,		

Noes, 20.

Mr. Cowper,	Mr. Flett,	} Tellers.
Mr. Bayley,	Mr. Laycock,	
Mr. Robertson,	Mr. Douglas,	
Mr. Weekes,	Mr. Oakes,	
Mr. Jones,	Mr. Rotton,	
Mr. Arnold,	Mr. Loder,	
Mr. Black,	Mr. Macalister,	
Mr. Garrett,	Mr. Campbell,	
Mr. Scott,	Mr. Close,	
Mr. Penell,	Mr. Byrnes,	
Mr. G. Lang,	Mr. Flood,	
Mr. Cooper,	Mr. Dalley,	
Mr. Jamison,	Mr. Sayers,	
Mr. Atkinson,	Mr. McArthur,	
Mr. Gray,		

Mr. Murray moved, That this Debate be now adjourned until Three o'clock on Tuesday next.

Debate ensued.

Question put on motion for adjournment of the Debate until Three o'clock on Tuesday next.

The

The House divided.

Ayes, 15.		Noes, 23.	
Mr. Murray,	Mr. Cummings,	Mr. Cowper,	Mr. Rotton,
Mr. Clements,	Mr. Plunkett,	Mr. Bayley,	Mr. Cooper,
Mr. Parkes,	Mr. Macleay,	Mr. Robertson,	Mr. Sayers,
Mr. Morris,	Mr. Piddington,	Mr. Weekes,	Mr. G. Lang,
Mr. Walsh,	Mr. Martin,	Mr. Black,	Mr. Laycock,
Mr. Forster,	Mr. Windeyer,	Mr. McArthur,	Rev. Dr. Lang,
Mr. Jenkins,	Mr. Wild,	Mr. Gray,	Mr. Macalister,
Mr. Broughton,		Mr. Hart,	Mr. Close,
		Mr. Asher,	Mr. Loder,
		Mr. Flett,	Mr. Campbell,
		Mr. Scott,	Mr. Flood,
		Mr. Wisdom,	Mr. Arnold,
		Mr. Jones,	Mr. Oakes,
		Mr. Douglas,	Mr. Dalley.
			} Tellers.

Mr. Windeyer moved, That this House do now adjourn.

Debate ensued.

Question put on Motion for adjournment of the House.

The House divided.

Ayes, 17.		Noes, 26.	
Mr. Windeyer,	Mr. Piddington,	Mr. Cowper,	Mr. Wisdom,
Mr. Parkes,	Mr. Murray,	Mr. Bayley,	Mr. Laycock,
Mr. Nott,	Mr. Plunkett,	Mr. Weekes,	Mr. Campbell,
Mr. Clements,	Mr. Hay,	Mr. Robertson,	Mr. Loder,
Mr. Forster,	Mr. Macleay,	Mr. Arnold,	Mr. Gray,
Mr. Elliott,	Mr. Walsh,	Mr. Asher,	Mr. Oakes,
Mr. Jenkins,	Mr. Wild,	Mr. Hart,	Mr. Dickson,
Mr. Cummings,	Mr. Morris,	Mr. Close,	Mr. Jones,
Mr. Broughton,		Mr. Douglas,	Mr. Flood,
		Mr. Irving,	Mr. Dalley,
		Mr. Russell,	Mr. McArthur,
		Mr. Black,	Mr. Black,
		Mr. Flett,	Mr. Rotton.
			} Tellers.

Mr. Walsh moved, That this Debate be now adjourned until Three o'clock on Tuesday next, and have precedence over all Other Business on the Paper for that Day.

Debate continued.

Question put on the motion for adjournment of the Debate until Three o'clock on Tuesday next, with precedence over all other Business on the Paper for that Day.

The House divided,—

And there being no Tellers for the Ayes,—

The Speaker declared the Question to have passed in the *Negative*.

Previous Question put,—That this Question be now put.

The House divided

Ayes, 23.		Noes, 3.	
Mr. Cowper,	Mr. Richardson,	Mr. Forster,	Mr. Irving.
Mr. Bayley,	Mr. Flett,		Mr. Cooper.
Mr. Weekes,	Mr. Laycock,		
Mr. Dickson,	Mr. Fomell,		
Mr. Macalister,	Mr. Laidlaw,		
Mr. Robertson,	Mr. Russell,		
Mr. McArthur,	Mr. Scott,		
Mr. Arnold,	Mr. Loder,		
Mr. Wisdom,	Mr. Campbell,		
Mr. Black,	Mr. Gray,		
Mr. Rotton,	Mr. Close,		
Mr. Jones,	Mr. Flood,		
Mr. Douglas,	Mr. Onkes,		
Mr. Asher,	Mr. Dalley.		
			} Tellers.

Whereupon Original Question put and negatived.

The House adjourned at twelve minutes after Twelve o'clock, P.M., until Tuesday next, at Three o'clock, P.M.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, OCTOBER 18.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. DARVALL to move,—
  - (1.) That the Separation of Queensland from New South Wales imposes upon the Government the duty of revising the Estimates, and of reducing the Public Expenditure of this Colony to a scale commensurate with its diminished Territory and Revenue.
  - (2.) That a copy of this Resolution be transmitted in an Address to His Excellency the Governor General.
2. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A nominal list of all the Members of the Executive Council since the introduction of Responsible Government.
  - (2.) Whether any of such Members ceased to belong to the said Executive Council—at what time—and whether by resignation or otherwise.

.. (3.)

- (3.) A nominal list of the Members of the said Executive Council who have been, or are regularly summoned to the sittings thereof, stating the period during which they have been so summoned.
- (4.) Also, specifying those Members who have not been regularly, or are not now so summoned,—and at what time summonses ceased to be sent to each of such Members.
- (5.) All opinions given by the Crown Law Officers on the question whether any other than the Ministers for the time being belong to the said Executive Council, or on any question of a similar nature.
- (6.) The Despatches from the Home Government, and any other Documents relating to the resignation or holding of seats, in the Executive Council.
3. MR. DICKSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all Contracts entered into between Adam Nixon and the Government, or any Officer of the Government, with all correspondence relating thereto.
4. MR. DICKSON to move, That the Petition of Adam Nixon, of West Maitland, presented by him on the 6th instant, be printed.
5. MR. WISDOM to move, That the two Petitions from the Western Gold Fields, relative to the Export Duty on Gold, presented by him on the 13th instant, be printed.
6. MR. FORSTER to move, That there be laid upon the Table of this House, copies of all Correspondence between the Executive Government, and any person or persons relative to the recent termination of the Colonial Agency for this Colony, in London.
7. MR. HART to move,—
- (1.) That a Select Committee be appointed to inquire into and report upon the allegations contained in the Petition of Mrs. De Courcy, presented to this House on the 7th instant.
- (2.) That such Committee consist of Mr. Robertson, Mr. Samuel, Mr. Murray, Mr. Byrnes, Mr. Dalley, Mr. Close, Mr. Loder, Mr. Morris, and the Mover.
8. MR. CLEMENTS to move, That the Petition from Bathurst, relative to State Aid to Religion, presented by him on the 14th instant, be printed.
9. MR. CLOSE to move, That the Petition from Morpeth, relative to State Aid to Religion, presented by him on the 14th instant, be printed.
10. MR. MURRAY to move, That there be laid upon the Table of this House, Copies of all applications from Squatters, in various parts of the Colony, for the extension of the boundaries of their runs since the year 1848, specifying the dates on which they have respectively been refused or complied with.
11. MR. BAYLEY to move, That the Petition from Mudgee, relative to State Aid to Religion, presented by him on the 14th instant, be printed.
12. MR. FLOOD to move, That the Petition from certain Members of the Church of England residing at Burwood, in the Diocese of Sydney, relative to State Aid to Religion, presented by him on the 14th instant, be printed.
13. MR. DARVALL to move, that the Petition from Richmond, relative to State Aid to Religion, presented by him on the 14th instant, be printed.
14. MR. WILD to move, That the Petition from Camden, relative to State Aid to Religion, presented by him on the 14th instant, be printed.
15. MR. DICKSON to move, That the Petition from East Maitland, relative to State Aid to Religion, presented by him on the 14th instant, be printed.
16. DR. LANG to move, That the Petition from the Clarence and Richmond Rivers, relative to certain proceedings of the Synod of Australia, in 1842, presented by him on the 14th instant, be printed.
17. MR. CAPE to move, That the Petition from Wollombi, relative to the Public Education Bill, presented by him on the 14th instant, be printed.
18. MR. CAPE to move, That the Petition from Raymond Terrace, relative to the Public Education Bill, presented by him on the 14th instant, be printed.
19. MR. SCOTT to move,—
1. That a Select Committee be appointed to inquire into and report,—
- (1.) Upon the expediency of establishing a Local Harbour and Pilot Board,
- (2.) Upon the operation of the present system of Tonnage Dues; and,
- (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
20. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
- (1.) A numerical Return of the confines waiting trial or under sentence in the different gaols and the penal establishment of Cockatoo Island, showing, in separate columns, as far as it may be practicable, the number of persons who can neither read nor write; the number of persons who can read and write imperfectly; the number of persons who can read and write well; the number of persons who have had a superior education; distinguishing males from females, and ages as follows; under 14—14 and under 25—25 and under 50—50 and upwards, arranged under the different classes of offences.
- (2.) A similar educational Return of the inmates of the Sydney and Liverpool Benevolent Asylums, but giving in addition the number of children under 5 years old.
21. DR. LANG to move, That the Petition of certain Dray Proprietors, presented by him on the 11th instant, be printed.
22. MR. DICKSON to move, That the Petition from Singleton, relative to State Aid to Religion, presented by him on the 11th instant, be printed.

23. MR. WEEKES to move, That the Petition from West Maitland, relative to State Aid to Religion, presented by him on the 11th instant, be printed.
24. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all persons sentenced to imprisonment or hard labour in this Colony during the last ten years, stating the circumstances under which they were convicted, the judgments awarded in each case, the names of those whose sentences have been since commuted, the nature and extent of such commutations, the Minutes of the Executive Council awarding them, and the names of the persons on whose recommendation, or at whose solicitation, such commutations were made.
25. MR. MURRAY to move,—
  - (1.) That a Select Committee be appointed to inquire into the state of Unproclaimed or Unsurveyed Roads in this Colony.
  - (2.) That such Committee consist of Mr. Clements, Mr. Lord, Mr. Samuel, Mr. Macleay, Mr. Robertson, Mr. Laidlaw, Mr. Hurley, Mr. Ryan, Mr. Hancock, and the Mover.
26. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimate for the year 1859 the sum of £50,000, for the repairs of Roads and Bridges, and erection of new Bridges, in the Western District.
27. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
28. MR. SCOTT to move, That the Petition from Hexham and Mount Vincent, relative to State Aid to Religion, presented by him on the 12th instant, be printed.
29. MR. CAPE to move, That the Petition from Brisbane Water, relative to State Aid to Religion, presented by him on the 11th instant, be printed.
30. MR. DARVALL to move, That this House do now resolve itself into a Committee of the whole, to consider the Despatch relative to the Separation of Queensland, laid upon the Table of this House on the 11th instant.
31. MR. WALSH to move, That the Petition from the Upper Paterson, relative to State Aid to Religion, presented by him on the 13th instant, be printed.
32. MR. WALSH to move, That the Petition from the Paterson, relative to State Aid to Religion, presented by him on the 13th instant, be printed.
33. MR. HODGSON to move, That the Petition from Port Stephens, relative to State Aid to Religion, presented by him on the 13th instant, be printed.
34. MR. ROBERTSON to move, That the Petition from Murrurundi, relative to State Aid to Religion, presented by him on the 13th instant, be printed.
35. MR. HAY to move, That the Petition relative to the Seizure of Opium on board the "Kato Hooper," presented by him on the 13th instant, be printed.
36. MR. HAY to move, That the Petition of the Sydney Chamber of Commerce, relative to the Customs Laws, presented by him on the 13th instant, be printed.
37. MR. ROBERTSON to move, That the Petition from Scone, relative to State Aid to Religion, presented by him on the 13th instant, be printed.
38. MR. DARVALL to move, That the Petition from the Lower Hawkesbury and Macdonald River, relative to State Aid to Religion, presented by him on the 11th instant; and also the Petition from the Parish of St. Matthew, Windsor, upon the same subject, presented by him on the 13th instant, be printed.
39. MR. GRAY to move, That the Petition from Kiama, relative to the Public Education Bill, presented by him on the 13th instant, be printed.
40. MR. DARK to move, That the Petition from Dungog, relative to State Aid to Religion, presented by him on the 13th instant, be printed.
41. MR. CAPE to move, That the Petition from Wollombi, relative to State Aid to Religion, presented by him on the 13th instant, be printed.
42. MR. MURRAY to move, That there be laid upon the Table of this House, a nominal Return showing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.

ORDERS OF THE DAY:—

1. Lien on Wool Act Continuation Bill; second reading.
2. Police Regulation Act Amendment Bill; to be considered in Committee.
3. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill be now read a second time."

Questions:—

1. MR. JONES to ask THE SECRETARY FOR PUBLIC WORKS,—Whether the Government purpose making any further alteration in the present outlet of Wallis' Creek, with a view of deepening it to the level, and enlarging it to the capacity of the former outlet of that Creek?
2. MR. WILSON to ask THE COLONIAL SECRETARY,—The reason why the English Mail was not delivered on Sunday morning, the 9th instant, as was formerly the practice when it arrived late on Saturday night—and at whose suggestion such alteration in the practice was made?

3. **MR. ROTTON** to ask **THE ATTORNEY GENERAL**,—With reference to a question asked by him, in the last Parliament, on the 14th of December last year, as follows,—  
 “Whether it is the intention of the Government to take any steps for the purpose of publishing in a compendious form the Acts of the Local Legislature, from the earliest date up to the present time,” which was answered by the then Honorable the Solicitor General in the affirmative,—whether such publication is yet completed?

WEDNESDAY, OCTOBER 19.

*Contingent Notice of Motion :—*

1. **MR. JENKINS** to move, as an amendment on the first four Resolutions to be proposed in Committee of Ways and Means by **Mr. Weekes**,—That all the words after “That” in the first, and all the words in the remaining three Resolutions be omitted, with a view to the insertion in their place of the words following:—“the present duties of Customs chargeable on Tea and Sugar imported into this Colony be maintained, but that the Revenue thus derived shall in future, (or after the 30th June, 1860,) be set apart as a distinct Fund for the promotion of Public Education, (especially for the establishment and maintenance of elementary schools throughout the Colony).”

**GOVERNMENT BUSINESS—ORDERS OF THE DAY :—**

1. Resumption of the adjourned Debate on **Mr. Cowper's** motion, “That the Public Education Bill be “now” read a second time,” upon which **Mr. Murray** had moved, by way of amendment, That the word “now” be omitted, with a view to add at the end the words “this day six months.”
2. Ways and Means; Resumption of the Committee.
3. Supply; Resumption of the Committee.
4. Resumption of the adjourned Debate on **Mr. Bayley's** motion, “That the New Trial Motion Bill be now read a second time.”

THURSDAY, OCTOBER 20.

**GOVERNMENT BUSINESS—ORDER OF THE DAY :—**

1. Judges' Pensions Bill; to be considered in Committee.

**OTHER BUSINESS—NOTICE OF MOTION :—**

1. **MR. COOPER** to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Additional Estimates for 1860, the sum of £100, in aid of the Literary Institution at Braidwood.

FRIDAY, OCTOBER 21.

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. **MR. WILSON** to move,—  
 (1.) That the export tax on gold, is a direct tax on the most important branch of Colonial industry, and being levied on a particular class, is repugnant to justice and the principles of equal taxation, and ought therefore to be repealed.  
 (2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.
2. **MR. DARK** to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Hunt at Clarence Town.
3. **MR. LANG** to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd ultimo, be now taken into consideration.
4. **MR. DOUGLAS** to move, That the apportionment of the Public Debt, in the event of the Separation of Moreton Bay, cannot be lawfully effected without the consent of the respective Legislatures.
5. **MR. CUMMINGS** to move, That there be laid upon the Table of this House,—  
 (1.) A Return shewing the amount granted and expended from 1st August, 1856, to 1st August, 1859, for the repairs of the main line of road and bridges from the western bank of the Nepean River, to the eastern bank of the Macquarie River.  
 (2.) A Return shewing the names of the Surveyor or Assistant Surveyor, Overseers or Assistant Overseers, and the amount of salary and allowances paid to each, weekly, monthly, or by the year.  
 (3.) A Return shewing the number of yards of macadamized, log, or gravelled roads repaired, and where such repairs were effected, the cost per yard, the name of the Contractor or Contractors, whether tendered for by private tender, or by public notice in the *Government Gazette*, and if by private tender, on what authority.  
 (4.) A Return shewing the number of men employed as laborers daily or weekly, the amount of daily, weekly, or monthly wages paid them, the work performed, and on which portion of the road, and the description of the materials used.

- (5.) A Return shewing the number of horses, carts, or drays employed on said road, the cost per day or week, and the names of the owners of such horses, carts, or drays.
- (6.) A Return shewing the amount expended for repairs of bush tracks off the main line of road, and by what authority such expenditure was made.
6. Mr. CUMMINGS to move, That there be laid upon the Table of this House,—
- (1.) A Return shewing the amount granted and expended from 1st August, 1856, to 1st August, 1859, for the repairs of the Mudgee line of road, and for bridges from Hassan's Walls to Mudgee.
- (2.) A Return shewing the names of the Surveyor, Assistant Surveyor, Overseers, or Assistant Overseers, and amount of salaries and allowances paid them respectively, by the week, month, or year, as the case may be.
- (3.) A Return shewing the number of yards of macadamized, or gravelled roads, the cost per yard, if by contract, the name of the Contractor or Contractors, and upon what part of said road the work has been performed.
- (4.) A Return shewing the actual amount expended, and materials used, on each particular portion of said road.
- (5.) A Return shewing the number of men employed as laborers, daily, weekly, or monthly, the amount of wages paid to each, the number of horses, carts or drays employed, the cost per day, week, or month, and the names of the owner or owners of such horses, carts, or drays.
7. Mr. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause public notice to be forthwith given to all holders of public office in this Colony, that after December 31, 1859, except as may be now, or hereafter otherwise provided by law, no such holder of office shall be, or become entitled to any retiring allowance or compensation for loss of office, arising or accruing after the date above specified; and that every such holder of office after such notice shall be considered to have again accepted office from the date, and subject to the condition of such notice.

ORDER OF THE DAY:—

1. Capital Punishments Abolition Bill; second reading.

TUESDAY, OCTOBER 25.

*Contingent Notice of Motion:—*

1. Mr. HODGSON to move, *as an amendment on Mr. Parkes' motion*,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

OTHER BUSINESS—NOTICE OF MOTION:—

1. Mr. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows:—
- (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
- (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
- (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
- (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.
- (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.

ORDER OF THE DAY:—

1. Revenue and Audit Bill; second reading.

WEDNESDAY, OCTOBER 26.

GOVERNMENT BUSINESS—NOTICE OF MOTION.

1. Mr. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

THURSDAY,



THURSDAY, OCTOBER 27.

GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Crown Lands Sales Bill ; second reading.
2. Crown Lands Occupation Bill ; second reading.
3. Leased Lands Occupation Bill ; second reading.
4. Public Worship Bill ; second reading.

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FRIDAY, OCTOBER 28.

OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. DANK to move,—  
 (1) That a Select Committee be appointed to inquire into the present state of the Agriculturists, and the system usually adopted in reference to the growth of agricultural productions generally.  
 (2.) That such Committee consist of the following Members, viz. :—Mr. Parkes, Mr. Hodgson, Mr. Rotton, Mr. Arnold, Mr. Dickson, Mr. Irving, Mr. Windeyer, Mr. Close, Mr. Flett, and the Mover.
2. Dr. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.

DANIEL COOPER,  
*Speaker.*

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No. 28.

## VOTES AND PROCEEDINGS

OF THE

# LEGISLATIVE ASSEMBLY.

TUESDAY, 18 OCTOBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Fijian Islands:—The following Message, from His Excellency the Governor General, received and read :—  
 W. DENISON, *Message No. 7.*  
*Governor General.*  
 In accordance with the request contained in the Address of the Legislative Assembly, the Governor General will forward without delay to the Secretary of State the Resolutions relative to the Fiji Islands, adopted by the Assembly 11th instant.  
*Government House,*  
 18 October, 1859.
2. Member Sworn :—Thomas Jarman Hawkins, Esquire, having taken the Oath, and subscribed the Roll, took his Seat as a Member for East Macquarie, in room of W. H. Suttor, Esquire, resigned.
3. Papers :—Mr. Cowper laid upon the Table the undermentioned Papers :—  
 (1.) Return to the Address, in reference to the Chief Justice's application for leave of absence, adopted, on the motion of Mr. Hay, on the 6th instant.  
 (2.) Return to the Address, in reference to Mr. Joseph Chambers, adopted, on motion of Mr. Windeyer, on the 13th ultimo.  
 Ordered to be printed.
4. State Aid to Religion :—  
 (1.) Mr. Close presented a Petition from certain Inhabitants of Muswellbrook and its vicinity, against the abolition of State Aid to Religion.  
 Petition received.  
 (2.) Mr. Russell presented a Petition from certain Inhabitants of Singleton and its neighbourhood, against the abolition of State Aid to Religion.  
 Petition received.
5. Moreton Bay Immigration and Land Company's Act Amendment Bill :—The Revd. Dr. Lang having presented this Bill, and produced a Certificate that the sum of twenty-five pounds had been paid to the credit of the Consolidated Revenue, Bill, intituled, "*A Bill to amend an Act to establish and incorporate a Company to be called the Moreton Bay Immigration and Land Company,*" read a first time.
6. Impounding Laws :—Mr. Clements presented a Petition from John Brien, the elder, and John Brien, the younger, of the town of Bathurst, farmers, praying such amendment in the Impounding Act as may protect cattle found upon uninclosed purchased lands within two miles of the town of Bathurst from being impounded.  
 Petition received.
7. Seat Claimed by James Hoskins, Esquire :—Mr. Parkes, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before the Select Committee appointed, on the 13th instant, to inquire into and report upon the facts and allegations contained in the Petition of James Hoskins, Esquire.  
 Ordered to be printed.
8. Tolls Amendment Act Repeal Bill :—Mr. Robertson having presented this Bill, Bill intituled, "*A Bill to repeal so much of the Tolls Amendment Act of 1857 as relates to Broad Wheels,*" read a first time; ordered to be printed, and read a second time this day week.
9. State-Aid to Religion :—Mr. Hay presented a Petition from certain Members of the different Protestant Denominations residing on the Manning River, against the abolition of State-Aid to Religion.  
 Petition received.
10. Proceedings of the Synod of Australia in 1842 :—  
 (1.) Mr. McArthur presented a Petition from certain persons whose names are thereto subscribed, praying that the House will not appoint a Select Committee to inquire into and report upon these proceedings, as prayed for in certain other Petitions already received by the House.  
 Petition received.

(2.)

(2.) The Rev. Dr. Lang presented a Petition from certain Presbyterians and other friends of Religious Liberty, in the District of Wide Bay, praying that the House will appoint the said Committee.

Petition received.

(3.) The Rev. Dr. Lang presented a Petition from certain Presbyterians and other friends of Religious Liberty in the Burnett District, with a similar prayer.

Petition received.

11. Motion withdrawn :—Mr. Darvall withdrew the motion standing in his name first on the Notice Paper for to-day.

12. Members of the Executive Council :—Mr. Plunkett moved, pursuant to *amended* notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—

(1.) A nominal list of all the Members of the Executive Council since the introduction of Responsible Government.

(2.) Whether any of such Members ceased to belong to the said Executive Council—at what time—and whether by resignation or otherwise.

(3.) A nominal list of the Members of the said Executive Council who have been, or are regularly summoned to the sittings thereof, stating the period during which they have been so summoned.

(4.) Also, specifying those Members who have not been regularly, or are not now so summoned,—and at what time summonses ceased to be sent to each of such Members.

(5.) All opinions given by the Crown Law Officers on the question whether any other than the Ministers for the time being belong to the said Executive Council, or on any question of a similar nature.

(6.) All Correspondence between the Imperial and the Colonial Government, and any other Documents relating to the resignation or holding of seats, in the Executive Council.

Question put and passed.

13. Mr. Adam Nixon :—

(1.) Mr. Dickson moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all Contracts entered into between Adam Nixon and the Government, or any Officer of the Government, with all correspondence relating thereto.

Question put and passed.

(2.) Mr. Dickson moved, pursuant to notice, That the Petition of Adam Nixon, of West Maitland, presented by him on the 6th instant, be printed.

Question put and passed.

Ordered to be printed.

14. Export Duty on Gold :—Mr. Wisdom moved, pursuant to notice, That the two Petitions from the Western Gold Fields, relative to the Export Duty on Gold, presented by him on the 13th instant, be printed.

Debate ensued.

Question put and passed.

Ordered to be printed.

15. Colonial Agency in London :—Mr. Forster moved, pursuant to *amended* notice, That there be laid upon the Table of this House, copies of all Correspondence between the Executive Government, and any person or persons relative to the recent termination of the Colonial Agency for this Colony, in London, and to the terms on which the existing Agency has been accepted.

Debate ensued.

Question put and passed.

16. Law of Primogeniture Abolition Bill :—Mr. Murray having presented this Bill, Bill, intituled, "*A Bill to abolish the law of Primogeniture and extend the laws of distribution in cases of Intestacy to Real Estate*," read a first time; ordered to be printed, and read a second time this day fortnight.

17. James Butler :—The Rev. Dr. Lang presented a Petition from James Butler, representing certain injuries received by him in the year 1845, whilst assisting at some work about a new Roman Catholic Church at Wollongong, and praying the compassion of the House.

Petition received.

18. Mrs. Frances De Courcy :—Mr. Hart moved, pursuant to notice,—

(1.) That a Select Committee be appointed to inquire into and report upon the allegations contained in the Petition of Mrs. De Courcy, presented to this House on the 7th instant.

(2.) That such Committee consist of Mr. Robertson, Mr. Samuel, Mr. Murray, Mr. Byrnes, Mr. Dalley, Mr. Close, Mr. Loder, Mr. Morris, and the Mover.

Debate ensued.

Question put and passed.

19. Pitt-street Tramway :—Mr. Robertson laid upon the Table certain Plans of Railway Extension into the City of Sydney.

Referred to the Select Committee on the Pitt-street Tramway Bill.

20. State Aid to Religion :—

(1.) Mr. Clements moved, pursuant to notice, That the Petition from Bathurst, relative to State Aid to Religion, presented by him on the 14th instant, be printed.

Question put and passed.

Ordered to be printed.

(2.)

- (2.) Mr. Close moved, pursuant to notice, That the Petition from Morpeth, relative to State Aid to Religion, presented by him on the 14th instant, be printed.  
Question put and passed.  
Ordered to be printed.
21. Squatters' Applications for Extension of Boundaries:—Mr. Murray moved, pursuant to amended notice, That there be laid upon the Table of this House, Copies of all applications from Squatters, having Leases in various parts of the Colony, for the extension of the boundaries of their runs since the year 1848, specifying the dates on which they have respectively been refused or complied with.  
Debate ensued.  
Question put and passed.
22. State Aid to Religion:—  
(1.) Mr. Bayley moved, pursuant to notice, That the Petition from Mudgee, relative to State Aid to Religion, presented by him on the 14th instant, be printed.  
Question put and passed.  
Ordered to be printed.  
(2.) Mr. Flood moved, pursuant to notice, That the Petition from certain Members of the Church of England residing at Burwood, in the Diocese of Sydney, relative to State Aid to Religion, presented by him on the 14th instant, be printed.  
Question put and passed.  
Ordered to be printed.  
(3.) Mr. Hay moved, pursuant to notice given by Mr. Darvall, That the Petition from Richmond, relative to State Aid to Religion, presented by Mr. Darvall on the 14th instant, be printed.  
Question put and passed.  
Ordered to be printed.  
(4.) Mr. Wild moved, pursuant to notice, That the Petition from Camden, relative to State Aid to Religion, presented by him on the 14th instant, be printed.  
Question put and passed.  
Ordered to be printed.  
(5.) Mr. Dickson moved, pursuant to notice, That the Petition from East Maitland, relative to State Aid to Religion, presented by him on the 14th instant, be printed.  
Question put and passed.  
Ordered to be printed.
23. Public Buildings at Shoalhaven:—Mr. Hay presented a Petition from certain persons whose names are thereto subscribed, praying inquiry into the relative claims of Nowra and Terara, in regard to the erection of Public Buildings.  
Petition received.
24. Proceedings of the Synod of Australia in 1842:—Mr. Black moved, pursuant to notice given by the Revd. Dr. Lang, That the Petition from the Clarence and Richmond Rivers, relative to certain proceedings of the Synod of Australia, in 1842, presented by the Rev. Dr. Lang on the 14th instant, be printed.  
Question put and passed.  
Ordered to be printed.
25. Public Education Bill:—Mr. Cape moved, pursuant to notice,—  
(1.) That the Petition from Wollombi, relative to the Public Education Bill, presented by him on the 14th instant, be printed.  
Question put and passed.  
Ordered to be printed.  
(2.) Mr. Cape moved, pursuant to notice, That the Petition from Raymond Terrace, relative to the Public Education Bill, presented by him on the 14th instant, be printed.  
Question put and passed.  
Ordered to be printed.
26. Postponement:—Mr. Scott postponed the motion standing in his name nineteenth on the Notice Paper for to-day, until Tuesday, November 1.
27. Confines waiting Trial, or under Sentence:—Mr. Jenkins moved, pursuant to notice,—That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—  
(1.) A numerical Return of the confines waiting trial or under sentence in the different gaols and the penal establishment of Cockatoo Island, shewing, in separate columns, as far as it may be practicable, the number of persons who can neither read nor write; the number of persons who can read and write imperfectly; the number of persons who can read and write well; the number of persons who have had a superior education; distinguishing males from females, and ages as follows; under 14—14 and under 25—25 and under 50—50 and upwards, arranged under the different classes of offences.  
(2.) A similar educational Return of the inmates of the Sydney and Liverpool Benevolent Asylums, but giving in addition the number of children under 5 years old.  
Question put and passed.
28. Sydney Draymen:—Mr. Black moved, pursuant to notice given by the Rev. Dr. Lang,—That the Petition of certain Dray Proprietors, presented by the Rev. Dr. Lang on the 11th instant, be printed.  
Question put and passed.  
Ordered to be printed.

## 29. State Aid to Religion :—

(1.) Mr. Dickson moved, pursuant to notice, That the Petition from Singleton, relative to State Aid to Religion, presented by him on the 11th instant, be printed.  
Question put and passed.

Ordered to be printed.

(2.) Mr. Weekes moved, pursuant to notice, That the Petition from West Maitland, relative to State Aid to Religion, presented by him on the 11th instant, be printed.  
Question put and passed.

Ordered to be printed.

## 30. Sentences to Imprisonment or Hard Labor :—Mr. Murray moved, pursuant to amended notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all persons sentenced to imprisonment or hard labor in this Colony during the last five years, stating the circumstances under which they were convicted, the judgments awarded in each case, the names of those whose sentences have been since commuted, the nature and extent of such commutations, the Minutes of the Executive Council awarding them, and the names of the persons on whose recommendation, or at whose solicitation, such commutations were made.

Debate ensued.

Question put and passed.

31. William Murphy :—Mr. Hodgson presented a Petition from William Murphy, of Newcastle, complaining of his dismissal from the office of Assistant Lighthouse-keeper at Newcastle, and praying relief.  
Petition received.

## 32. Motion dropped :—Mr. Murray not moving the motion standing in his name twenty-fifth on the Notice Paper for to-day, it dropped.

33. Repair of Roads and Bridges on Great Western Road :—Mr. Cummings moved, pursuant to amended notice, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimate for the year 1859 the sum of £50,000, for the repairs of Roads and Bridges, and erection of new Bridges, on the Western or Bathurst Line of Road.  
Debate ensued.

Question put.

The House divided.

Ayes, 15.

Mr. Wisdom,	Mr. Forster,	} Tellors.
Mr. Parkes,	Mr. Samuel,	
Mr. Macphillamy,	Mr. Clements.	
Mr. Cummings,		
Mr. Cooper,		
Mr. Hamilton,		
Mr. Egan,		
Mr. Windeyer,		
Mr. Hawkins,		
Mr. Hyeronimus,		
Mr. Jamison,		
Mr. Murray,		

Noes, 27.

Mr. Cowper,	Mr. Jenkins,	} Tellors.
Mr. Bayley,	Mr. Douglas,	
Mr. Weekes,	Mr. Atkinson,	
Mr. Robertson,	Mr. Piddington,	
Mr. Walsh,	Mr. Elliott,	
Mr. Wilson,	Mr. Dickson,	
Mr. Cape,	Mr. Loder,	
Mr. Rotton,	Rev. Dr. Lang,	
Mr. Black,	Mr. Macalister,	
Mr. Laycock,	Mr. Flood,	
Mr. Flett,	Mr. Oxley,	
Mr. Hart,	Mr. Gray,	
Mr. Hay,	Mr. Morris.	
Mr. Wild,		

## 34. Postponement :—Mr. Murray postponed the motion standing in his name twenty-seventh on the Notice Paper to-day, until Friday next.

## 35. State Aid to Religion :—

(1.) Mr. Scott moved, pursuant to notice, That the Petition from Hexham and Mount Vincent, relative to State Aid to Religion, presented by him on the 12th instant, be printed.

Question put and passed.

Ordered to be printed.

(2.) Mr. Cape moved, pursuant to notice, That the Petition from Brisbane Water, relative to State Aid to Religion, presented by him on the 11th instant, be printed.  
Question put and passed.

Ordered to be printed.

## 36. Motion dropped :—Mr. Darvall not moving the motion standing in his name thirtieth on the Notice Paper for to-day, it dropped.

## 37. State Aid to Religion :—

(1.) Mr. Walsh moved, pursuant to notice, That the Petition from the Upper Paterson, relative to State Aid to Religion, presented by him on the 13th instant, be printed.

Question put and passed.

Ordered to be printed.

(2.) Mr. Walsh moved, pursuant to notice, That the Petition from the Paterson, relative to State Aid to Religion, presented by him on the 13th instant, be printed.  
Question put and passed.

Ordered to be printed.

(3.) Mr. Walsh moved, pursuant to notice given by Mr. Hodgson, That the Petition from Port Stephens, relative to State Aid to Religion, presented by Mr. Hodgson on the 13th instant, be printed.

Question put and passed.

3 Ordered to be printed.

(4.)

- (4.) Mr. Robertson moved, pursuant to notice, That the Petition from Murrurundi, relative to State Aid to Religion, presented by him on the 13th instant, be printed.  
Question put and passed.  
Ordered to be printed.
38. Seizure of Opium per "Kate Hooper":—Mr. Hay moved, pursuant to notice, That the Petition relative to the Seizure of Opium on board the "Kate Hooper," presented by him on the 13th instant, be printed.  
Question put and passed.  
Ordered to be printed.
39. State of the Customs Laws:—Mr. Hay moved, pursuant to notice, That the Petition of the Sydney Chamber of Commerce, relative to the Customs Laws, presented by him on the 13th instant, be printed.  
Question put and passed.  
Ordered to be printed.
40. State Aid to Religion:—  
(1.) Mr. Robertson moved, pursuant to notice, That the Petition from Scone, relative to State Aid to Religion, presented by him on the 13th instant, be printed.  
Question put and passed.  
Ordered to be printed.  
(2.) Mr. Hay moved, pursuant to notice given by Mr. Darvall, That the Petition from the Lower Hawkesbury and Macdonald River, relative to State Aid to Religion, presented by Mr. Darvall on the 11th instant; and also the Petition from the Parish of St. Matthew, Windsor, upon the same subject, presented by Mr. Darvall on the 13th instant, be printed.  
Question put and passed.  
Ordered to be printed.
41. Public Education Bill:—Mr. Flood moved, pursuant to notice given by Mr. Gray, That the Petition from Kiama, relative to the Public Education Bill, presented by Mr. Gray on the 13th instant, be printed.  
Question put and passed.  
Ordered to be printed.
42. State Aid to Religion:—  
(1.) Mr. Wisdom moved, pursuant to notice given by Mr. Dark, That the Petition from Dungog, relative to State Aid to Religion, presented by Mr. Dark on the 13th instant, be printed.  
Question put and passed.  
Ordered to be printed.  
(2.) Mr. Cape moved, pursuant to notice, That the Petition from Wollombi, relative to State Aid to Religion, presented by him on the 13th instant, be printed.  
Question put and passed.  
Ordered to be printed.
43. Postponements:—  
(1.) Mr. Murray postponed the motion standing in his name forty-second on the Notice Paper for to-day, until Friday next.  
(2.) The second reading of the Lien on Wool Act Continuation Bill postponed, on motion of Mr. Morris, on behalf of Mr. Mort, until Friday next.
44. Police Regulation Act Amendment Bill:—On motion of Mr. Forster the Speaker left the Chair, and the House resolved itself into a Committee of the whole, for consideration of this Bill.  
The Chairman having reported the Bill with amendments, the House adopted the same, and ordered the Bill, as so reported, to be read a third time on Thursday next.
45. Postponement:—The Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the Duration of Legislative Assemblies Limitation Bill be now read a second time" postponed, on motion of the Rev. Dr. Lang, until Friday next.  
The House adjourned at twenty-three minutes before Twelve o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, OCTOBER 19.

### Contingent Notice of Motion:—

1. MR. JENKINS to move, as an amendment on the first four Resolutions to be proposed in Committee of Ways and Means by Mr. Weekes,—That all the words after "That" in the first, and all the words in the remaining three Resolutions be omitted, with a view to the insertion in their place of the words following:—"the present duties of Customs chargeable on Tea and Sugar imported into this Colony be maintained, but that the Revenue thus derived shall in future, (or after the 30th June, 1860,) be set apart as a distinct Fund for the promotion of Public Education, (especially for the establishment and maintenance of elementary schools throughout the Colony)."

GOVERNMENT

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Cowper's motion, "That the Public Education Bill be "now" read a second time," upon which Mr. Murray had moved, by way of amendment, That the word "now" be omitted, with a view to add at the end the words "this day six months."
2. Ways and Means ; Resumption of the Committee.
3. Supply ; Resumption of the Committee.
4. Resumption of the adjourned Debate on Mr. Bayley's motion, "That the New Trial "Motion Bill be now read a second time."

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. RUSSELL to move, That the Petition from Singleton, relative to State Aid to Religion, presented by him on the 18th instant, be printed.
2. MR. CLOSE to move, That the Petition from Muswellbrook, relative to State Aid to Religion, presented by him on the 18th instant, be printed.
3. MR. PARKES to move, That in accordance with the recommendations of the Select Committee appointed to inquire into the matter of the Petition of James Hoskins, Esquire, claiming to have been elected for the Electoral District of the Gold Fields North, this House resolves as follows :—
  - (1.) That the Returning Officer be communicated with as early as possible, and instructed to return the Writ with the name of the person endorsed thereon who was elected according to the returns transmitted to such Returning Officer.
  - (2.) That the said Returning Officer be instructed to forward to the Clerk of the Assembly, the voting papers transmitted to him in accordance with the 56th section of the Electoral Act.
  - (3.) That the time for presenting Petitions against the validity of the return of the person whose name may be endorsed on the Writ by the said Returning Officer, be held to date from the day of the return of the Writ as aforesaid.
  - (4.) That, to obviate the recurrence of similar inconvenience in future, it is advisable that the Speaker shall, within a limited period of the meeting of Parliament after a general election, report to the House any case where the Writ has not been regularly returned, in order that steps may be taken without delay to afford redress.
4. MR. HAY to move, That the Petition from the Manning River District, relative to State Aid to Religion, presented by him on the 18th instant, be printed.
5. MR. HAY to move, That the Petition from Shoalhaven, relative to the Erection of Public Buildings at Nowra, presented by him on the 18th instant, be printed.

## Questions :—

1. MR. JAMISON to ask THE SECRETARY FOR PUBLIC WORKS,—If he is aware that the Railway Works on the Western line at the Penrith end are at present suspended ; and, if so, what cause has been assigned for such suspension ?
2. MR. PARKES to ask THE SECRETARY FOR PUBLIC WORKS,—Whether the Pymont Bridge Company have made any communication to the Government of their intention not to proceed with the construction of a bridge from Pymont to Glebe Island, in conformity to the powers conferred upon them by the Act of 1858 ?
3. MR. MACLEAY to ask THE SECRETARY FOR PUBLIC WORKS,—Whether the Government have taken, or intend to take any steps towards the erection of sufficient gaol accommodation at Gundagai, to enable Courts of Quarter Sessions to be held at that place ?
4. MR. MURRAY to ask THE COLONIAL SECRETARY,—Whether Mr. William Russell Riley, lately placed in the Commission of the Peace, is the person of that name who, some time back, resigned or was removed from the office of Clerk of the gaol at Goulburn, in consequence of his having offered a bribe to the Under Sheriff in order to induce that officer to procure him an increase of salary ?
5. MR. SCOTT to ask THE SECRETARY FOR LANDS,—Whether he has any objection to lay on the Table of this House, the Report lately prepared by the Board, appointed at his instance, on the Mineral Lands of the Colony ?
6. MR. HAY to ask THE SECRETARY FOR PUBLIC WORKS,—Whether it is intended to include in any additional Estimates for the Service of 1860, which may be presented to this House during the present Session, a sum for the improvement of the Navigation of the Darling River ?

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THURSDAY, OCTOBER 20.

## GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Judges' Pensions Bill ; to be considered in Committee.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. COOPER to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Additional Estimates for 1860, the sum of £100, in aid of the Literary Institution at Braidwood.
2. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all correspondence between the Executive Government and any person or persons,



persons, and of all records of proceedings before the Bench of Magistrates at Muswellbrook, relative to any charges made against Luke Holman Sibthorpe, late Clerk of Petty Sessions at the place aforesaid, prior to his appointment as Commissioner of Crown Lands for the District of Wellington.

ORDER OF THE DAY :—

1. Police Regulation Act Amendment Bill; third reading.

FRIDAY, OCTOBER 21.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WILSON to move,—
  - (1.) That the export tax on gold, is a direct tax on the most important branch of Colonial industry, and being levied on a particular class, is repugnant to justice and the principles of equal taxation, and ought therefore to be repealed.
  - (2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.
2. MR. DANK to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.
3. MR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd ultimo, be now taken into consideration.
4. MR. DOUGLAS to move, That the apportionment of the Public Debt, in the event of the Separation of Moreton Bay, cannot be lawfully effected without the consent of the respective Legislatures.
5. MR. CUMMINGS to move, That there be laid upon the Table of this House,—
  - (1.) A Return shewing the amount granted and expended from 1st August, 1856, to 1st August, 1859, for the repairs of the main line of road and bridges from the western bank of the Nopenan River, to the eastern bank of the Macquarie River.
  - (2.) A Return shewing the names of the Surveyor or Assistant Surveyor, Overseers or Assistant Overseers, and the amount of salary and allowances paid to each, weekly, monthly, or by the year.
  - (3.) A Return shewing the number of yards of macadamized, log, or gravelled roads repaired, and where such repairs were effected, the cost per yard, the name of the Contractor or Contractors, whether tendered for by private tender, or by public notice in the *Government Gazette*, and if by private tender, on what authority.
  - (4.) A Return shewing the number of men employed as laborers daily or weekly, the amount of daily, weekly, or monthly wages paid them, the work performed, and on which portion of the road, and the description of the materials used.
  - (5.) A Return shewing the number of horses, carts, or drays employed on said road, the cost per day or week, and the names of the owners of such horses, carts, or drays.
  - (6.) A Return shewing the amount expended for repairs of bush tracks off the main line of road, and by what authority such expenditure was made.
6. MR. CUMMINGS to move, That there be laid upon the Table of this House,—
  - (1.) A Return shewing the amount granted and expended from 1st August, 1856, to 1st August, 1859, for the repairs of the Mudgee line of road, and for bridges from Hassan's Walls to Mudgee.
  - (2.) A Return shewing the names of the Surveyor, Assistant Surveyor, Overseers, or Assistant Overseers, and amount of salaries and allowances paid them respectively, by the week, month, or year, as the case may be.
  - (3.) A Return shewing the number of yards of macadamized, or gravelled roads, the cost per yard, if by contract, the name of the Contractor or Contractors, and upon what part of said road the work has been performed.
  - (4.) A Return shewing the actual amount expended, and materials used, on each particular portion of said road.
  - (5.) A Return shewing the number of men employed as laborers, daily, weekly, or monthly, the amount of wages paid to each, the number of horses, carts or drays employed, the cost per day, week, or month, and the names of the owner or owners of such horses, carts, or drays.
7. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause public notice to be forthwith given to all holders of public office in this Colony, that after December 31, 1859, except as may be now, or hereafter otherwise provided by law, no such holder of office shall be, or become entitled to any retiring allowance or compensation for loss of office, arising or accruing after the date above specified; and that every such holder of office after such notice shall be considered to have again accepted office from the date, and subject to the condition of such notice.
8. DR. LANG to move,—
  - (1.) That a Select Committee be appointed to take into consideration and to report upon the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
  - (2.) That such Committee consist of the following Members, viz. :—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover.

9. MR. WILD to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the ensuing year, a sum not exceeding £300 for the re-erection of the Lock-up at Bargo.
10. MR. ATKINSON to move,—
  - (1.) That a Select Committee be appointed to inquire into the management, construction; and condition, of the Southern and Northern Railways of the Colony.
  - (2.) That such Committee consist of Mr. Flood, Mr. Hay, Mr. Jones, Mr. Samuel, Mr. Scott, Mr. Irving, Mr. Rotton, Mr. Parkes, Mr. Jamison, and the Mover.
11. MR. BLACK to move, That the Petition of Charles Skerrett, presented by him on the 11th instant, be printed.
12. DR. LANG to move, That the Report of the Select Committee of the late Legislative Assembly on the Presbyterian College, be referred to the Select Committee on the Presbyterian College, for their consideration.
13. MR. MCARTHUR to move, That the Petition against the prayer of certain Petitioners, praying for the appointment of a Select Committee, to take into consideration certain Proceedings of the Synod of Australia in 1842, presented by him on the 18th instant, be printed.
14. DR. LANG to move, That the Petition of James Butler, presented by him on the 18th instant, be printed.
15. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
16. MR. MURRAY to move, That there be laid upon the Table of this House, a nominal Return showing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.

ORDERS OF THE DAY:—

1. Capital Punishments Abolition Bill; second reading.
2. Lien on Wool Act Continuation Bill; second reading.
3. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill be now read a second time."

TUESDAY, OCTOBER 25.

Contingent Notice of Motion:—

1. MR. HODGSON to move, as an amendment on Mr. Parkes' motion,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows:—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
2. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all the Magistrates who have been placed in the Commission of the Peace during the present Administration, specifying the recommendations received by the Government in favor of, and the dates of their appointments.
3. DR. LANG to move, That a Select Committee be appointed to inquire into certain proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, with power to send for persons and papers, and to report; the Committee to consist of ten Members, and to be appointed by ballot.

4. Mr. GRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A return of all the lands alienated by the Crown within the boundaries of the present Police District of Kiama, since the 1st January, 1835; shewing the extent of each lot, whether Town, Suburban or Country, together with the price realized by each, and the sum total arising from all such sales within the said District and within the said period.
  - (2.) A return of all sums of money expended on Public Works within the Police District of Kiama, since the 1st January, 1835.

ORDER OF THE DAY :—

1. Revenue and Audit Bill; second reading.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Tolls Amendment Act Repeal Bill; second reading.

WEDNESDAY, OCTOBER 26.

GOVERNMENT BUSINESS—NOTICE OF MOTION.

1. Mr. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

THURSDAY, OCTOBER 27.

GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Crown Lands Sales Bill; second reading.
2. Crown Lands Occupation Bill; second reading.
3. Leased Lands Occupation Bill; second reading.
4. Public Worship Bill; second reading.

FRIDAY, OCTOBER 28.

OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. DARK to move,—
  - (1) That a Select Committee be appointed to inquire into the present state of the Agriculturists, and the system usually adopted in reference to the growth of agricultural productions generally.
  - (2.) That such Committee consist of the following Members, viz. :—Mr. Parkes, Mr. Hodgson, Mr. Rotton, Mr. Arnold, Mr. Dickson, Mr. Irving, Mr. Windeyer, Mr. Oloac, Mr. Flett, and the Mover.
2. Dr. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.

TUESDAY, NOVEMBER 1.

OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. SCOTT to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board,
    - (2.) Upon the operation of the present system of Tonnage Dues; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
2. Mr. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, full copies of all papers connected with the summary dismissal of Lieutenant Seaver, R.N., from the offices of Deputy Harbour Master and Shipping Master, at Newcastle, including the report of the Board of Inquiry into the conduct of the Harbour Master's Department at that Port; of all recommendations of the Colonial Treasurer; and of all Minutes of the Executive Council with respect to the matter contained in the above Report.

ORDER OF THE DAY :—

1. Law of Primogeniture Abolition Bill; second reading.

DANIEL COOPER,  
*Speaker.*



No. 29.

**VOTES AND PROCEEDINGS**

OF THE

**LEGISLATIVE ASSEMBLY.**

WEDNESDAY, 19 OCTOBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Committee of Elections and Qualifications:—John Black, Esquire, Sworn at the Table by the Clerk, as a Member of the Committee of Elections and Qualifications, for the remainder of the present Session, pursuant to the requirement of the 70th Section of the Electoral Act of 1858.
2. Paper:—Mr. Robertson laid upon the Table certain Correspondence respecting Alpaca.  
Ordered to be printed.
3. Public Education Bill:—
  - (1.) Mr. Robertson presented a Petition from certain Residents of Phillip Ward, praying the House to assent to this measure.  
Petition received.
  - (2.) Mr. Darvall presented a Petition from certain Inhabitants of Newtown, with a similar prayer.  
Petition received.
  - (3.) Mr. Byrnes presented a Petition from certain Inhabitants of the Town and District of Parramatta, with a similar prayer.  
Petition received.
  - (4.) Mr. Plunkett presented a Petition from the Roman Catholic Archbishop, and certain of the Roman Catholic Clergy and Laity, of the City of Sydney, praying that this Bill may not pass in its present state.  
Petition received.
  - (5.) Mr. Russell presented a Petition from certain Inhabitants of Denison Ward, praying the House to assent to this measure.  
Petition received.
  - (6.) Mr. McArthur presented a Petition from certain Residents in Cook and Fitzroy Wards, in the City of Sydney, with a similar prayer.  
Petition received.
4. State Aid to Religion:—Mr. Black presented a Petition from Thomas Walker, Esquire, Chairman of a Public Meeting of the Inhabitants of Sydney, held at the Mechanics' School of Arts, praying the entire abolition of State Aid to Religion.  
Petition received.
5. Parish and Main Roads of the Colony:—Mr. Rotton presented a Petition from certain Freeholders, Householders, and Travellers over the Parish and Main Roads of the Colony, praying the Repeal of the Tolls Amendment or Broad Wheels Act, and the substitution of other methods for levying Tolls.  
Petition received.
6. Papers:—Mr. Weekes laid upon the Table the undermentioned Papers:—
  - (1.) Return to the Order, in reference to the Newcastle Tonnage, Pilot, and Harbour Dues, made by this House, on motion of Mr. Hodgson, on the 27th ultimo.  
Ordered to be printed.
  - (2.) Papers relating to the Seizure of the "Lady Augusta" Steamer and Cargo, and to the Fines imposed on the Master and Supercargo.
7. Public Education Bill:—
  - (1.) Mr. Close presented a Petition from certain Inhabitants of Randwick, praying the House to assent to this measure.  
Petition received.
  - (2.) Mr. Campbell presented a Petition from certain Inhabitants of Balmain, with a similar prayer.  
Petition received.

(3)

(3.) Mr. Flood presented a Petition from certain Inhabitants of Waverley, with a similar prayer.  
Petition received.

8. Attendance of Member of Legislative Council :—Mr. Murray moved, that the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee to inquire into the present state of the University of Sydney, and that Committee being desirous to examine the Honorable George Allen, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.

*Legislative Assembly Chamber,  
Sydney, 19th October, 1850.*

*Speaker.*

Question put and passed.

9. Public Education Bill :—Mr. Jones presented a Petition from certain Inhabitants of the City of Sydney and others, in Public Meeting assembled, praying that this Bill may not be passed, and that Legislation on the subject of Public Education may be deferred until next Session.  
Petition received.
10. Public Education Bill :—The adjourned Debate on Mr. Cowper's motion, "That this Bill be 'now' read a second time," upon which Mr. Murray had moved, by way of amendment, That the word "now" be omitted, with a view to add at the end the words "this day six months,"—resumed.  
Question put,—That the word proposed to be omitted stand part of the Question.  
The House divided.

Ayes, 40.

Mr. Cowper,	Mr. Ryan,
Mr. Robertson,	Mr. Russell,
Mr. Bayley,	Mr. Atkinson,
Mr. Weekes,	Mr. Jamison,
Mr. Flood,	Rev. Dr. Lang,
Mr. Dickson,	Mr. Arnold,
Mr. McArthur,	Mr. Hurley,
Mr. Hawkins,	Mr. Laidlaw,
Mr. Black,	Mr. Wilson,
Mr. Sayers,	Mr. Jones,
Mr. Wisdom,	Mr. Oakes,
Mr. Asher,	Mr. Flett,
Mr. Cooper,	Mr. Laycock,
Mr. Scott,	Mr. Pemell,
Mr. Gray,	Mr. Garrett,
Mr. Loder,	Mr. Irving,
Mr. Close,	Mr. G. Lang,
Mr. Dalley,	Mr. Macalister,
Mr. Douglas,	Mr. Rotton,
Mr. Lord,	Mr. Byrnes.

} Tellers.

Whereupon Original Question put.  
The House divided.

Ayes, 8.

Mr. Cowper,	Mr. Byrnes,
Mr. Robertson,	Mr. Douglas,
Mr. Bayley,	Mr. Hawkins,
Mr. Weekes,	Mr. McArthur.

} Tellers.

Noes, 25.

Mr. Murray,	Mr. Hodgson,
Mr. Morris,	Mr. Cummings,
Mr. Darvall,	Mr. Elliott,
Mr. Clements,	Mr. Piddington,
Mr. Macphillamy,	Mr. Hamilton,
Mr. Cape,	Mr. Roberts,
Mr. Windeyer,	Mr. Lyons,
Mr. Wild,	Mr. Macleay,
Mr. Martin,	Mr. Jenkins,
Mr. Forster,	Mr. Plunkett,
Mr. Walsh,	Mr. Parkes,
Mr. Egan,	Mr. Nott.

} Tellers.

Noes, 57.

Mr. Nott,	Mr. Close,
Mr. Rotton,	Mr. Gray,
Mr. Murray,	Mr. Piddington,
Mr. Parkes,	Mr. Roberts,
Mr. Morris,	Mr. Macleay,
Mr. Darvall,	Mr. Hamilton,
Mr. Hay,	Mr. Lyons,
Mr. Clements,	Mr. Jenkins,
Mr. Macphillamy,	Mr. Plunkett,
Mr. Cape,	Mr. Dickson,
Mr. Windeyer,	Mr. Macalister,
Mr. Asher,	Mr. Irving,
Mr. Wild,	Rev. Dr. Lang,
Mr. Martin,	Mr. Ryan,
Mr. Forster,	Mr. Hodgson,
Mr. Walsh,	Mr. Cummings,
Mr. Egan,	Mr. Lord,
Mr. Hieronimus,	Mr. Laycock,
Mr. Wisdom,	Mr. Oakes,
Mr. Black,	Mr. Atkinson,
Mr. Garrett,	Mr. Jamison,
Mr. Sayers,	Mr. Scott,
Mr. Pemell,	Mr. Laidlaw,
Mr. Flett,	Mr. Russell,
Mr. Hurley,	Mr. Jones,
Mr. Elliott,	Mr. Dalley,
Mr. G. Lang,	Mr. Wilson,
Mr. Arnold,	Mr. Cooper.
Mr. Loder,	

} Tellers.

Mr. Murray then moved, That this Bill be now discharged from the Paper.  
Question put and passed.

11. Attendance of Member of Legislative Council :—The Speaker reported that during the Debate of the Question last before the House the following Message was received from the Legislative Council :—

MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated this day, requesting leave for the Honorable George Allen, a Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly on the present state of the University of Sydney, the Council acquaints the Assembly that leave has been granted to its said Member to attend and be examined by the said Committee, if he think fit.

Legislative Council Chamber,  
Sydney, 19 October, 1859.

W. W. BURTON,  
President.

12. Postponements :—  
(1.) The resumption of the Committee of Ways and Means postponed, on motion of Mr. Weekes, until to-morrow.  
(2.) The resumption of the Committee of Supply postponed, on motion of Mr. Weekes, until Wednesday next.
13. New Trial Motion Bill :—The adjourned Debate on Mr. Bayley's motion, "That this Bill be now read a second time,"—resumed.

And the House continuing to sit till after midnight,—

THURSDAY, 20 OCTOBER, 1859.

Debate continued.

Question put and passed.

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

14. State Aid to Religion :—  
(1.) Mr. Flood moved, pursuant to notice given by Mr. Russell, That the Petition from Singleton, relative to State Aid to Religion, presented by Mr. Russell on the 18th instant, be printed.  
Question put and passed.  
Ordered to be printed.  
(2.) Mr. Close moved, pursuant to notice, That the Petition from Muswellbrook, relative to State Aid to Religion, presented by him on the 18th instant, be printed.  
Question put and passed.  
Ordered to be printed.
15. Postponement :—Mr. Parkes *amended* and postponed the motion standing in his name third on the Notice Paper for to-day, until to-morrow.
16. State Aid to Religion :—Mr. Hay moved, pursuant to notice, That the Petition from the Manning River District, relative to State Aid to Religion, presented by him on the 18th instant, be printed.  
Question put and passed.  
Ordered to be printed.
17. Proceedings in Committee of Supply :—Mr. Cowper, on behalf of the Chairman, laid upon the Table the Report from the Standing Orders Committee on the question touching Proceedings in Committee of Supply, referred for their consideration, on the 12th instant.  
Ordered to be printed, and considered in Committee to-morrow.
18. Public Buildings at Shoalhaven :—Mr. Hay moved, pursuant to notice, That the Petition from Shoalhaven, relative to the Erection of Public Buildings at Nowra, presented by him on the 18th instant, be printed.  
Question put and passed.  
Ordered to be printed.
- The House adjourned at twenty-five minutes before One o'clock, A.M., until Three o'clock, P.M. this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, OCTOBER 20.

Contingent Notice of Motion :—

1. MR. JENKINS to move, as an amendment on the first four Resolutions to be proposed in Committee of Ways and Means by Mr. Weekes,—That all the words after "That" in the first, and all the words in the remaining three Resolutions be omitted, with a view to the insertion in their place of the words following :—"the present duties of Customs chargeable on Tea and Sugar imported into this Colony be maintained; but that the Revenue thus derived shall in future, (or after the 30th June, 1860,) be set apart as a distinct Fund for the promotion of Public Education, (especially for the establishment and maintenance of elementary schools throughout the Colony)."

GOVERNMENT

## GOVERNMENT BUSINESS—NOTICE OF MOTION :—

## 1. Mr. COWPER to move :—

(1.) That a Select Committee, consisting of Ten Members, be appointed to inquire into and report upon the proposal of Mr. F. Gisborne, for constructing a Sub-marine Telegraph Line from East Java to Moreton Bay, and that the Correspondence laid upon the Table, by Command, and printed, be referred to the Committee.

(2.) That such Committee consist of the following Members :—Mr. Jones, Mr. Hay, Mr. Scott, Mr. Arnold, Mr. Douglas, Mr. Hodgson, Mr. Atkinson, Mr. Macalister, and Mr. Mort.

## ORDERS OF THE DAY :—

1. Judges' Pensions Bill; to be considered in Committee.
2. Ways and Means; Resumption of the Committee.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. COOPER to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Additional Estimates for 1866, the sum of £100, in aid of the Literary Institution at Braidwood.
2. Mr. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all correspondence between the Executive Government and any person or persons, and of all records of proceedings before the Bench of Magistrates at Muswellbrook, relative to any charges made against Luke Holman Sibthorpe, late Clerk of Petty Sessions at the place aforesaid, prior to his appointment as Commissioner of Crown Lands for the District of Wellington.
3. Mr. BLACK to move, That the Petition of Thomas Walker, as Chairman of a Public Meeting held in Sydney, relative to State Aid to Religion, presented by him on the 19th instant, be printed.
4. Mr. ROTTON to move, That the Petition relative to the Broad Wheels Act and to the collection of Tolls, presented by him on the 19th instant, be printed.
5. Mr. CLEMENTS to move, That the Petition relative to the Impounding Laws, presented by him on the 19th instant, be printed.
6. Mr. BYRNES to move, That the Petition from Parramatta, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
7. Mr. CLOSE to move, That the Petition from Randwick, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
8. Mr. FLOOD to move, That the Petition from Waverley, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
9. Mr. PARKES to move, That in accordance with the recommendations of the Select Committee appointed to inquire into the matter of the Petition of James Hoskins, Esquire, claiming to have been elected for the Electoral District of the Gold Fields North, this House resolves as follows :—
  - (1.) That the Returning Officer be communicated with as early as possible, and instructed to return the Writ with the name of the person endorsed thereon who was elected according to the returns transmitted to such Returning Officer.
  - (2.) That the said Returning Officer be instructed to forward to the Clerk of the Assembly, the voting papers transmitted to him in accordance with the 56th section of the Electoral Act.
  - (3.) That the time for presenting Petitions against the validity of the return of the person whose name may be endorsed on the Writ by the said Returning Officer, be held to date from the day of the return of the Writ as aforesaid.
  - (4.) That, to obviate the recurrence of similar inconvenience in future, it is advisable that the Speaker shall, within a limited period of the meeting of Parliament after a general election, report to the House any case where the Writ has not been regularly returned, in order that steps may be taken without delay to afford redress.
  - (5.) That the first three of the foregoing Resolutions be communicated by Address to His Excellency the Governor General.

## ORDERS OF THE DAY :—

1. Police Regulation Act Amendment Bill; third reading.
2. Report of Standing Orders Committee on Proceedings in Committee of Supply; to be considered in Committee.

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FRIDAY, OCTOBER 21.

## OTHER BUSINESS—NOTICES OF MOTION :—

## 1. Mr. WILSON to move,—

(1.) That the export tax on gold, is a direct tax on the most important branch of Colonial industry, and being levied on a particular class, is repugnant to justice and the principles of equal taxation, and ought therefore to be repealed.

(2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.



2. MR. DARK to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.
3. MR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd ultimo, be now taken into consideration.
4. MR. DOUGLAS to move, That the apportionment of the Public Debt, in the event of the Separation of Moreton Bay, cannot be lawfully effected without the consent of the respective Legislatures.
5. MR. CUMMINGS to move, That there be laid upon the Table of this House,—
  - (1.) A Return shewing the amount granted and expended from 1st August, 1856, to 1st August, 1859, for the repairs of the main line of road and bridges from the western bank of the Nepean River, to the eastern bank of the Macquarie River.
  - (2.) A Return shewing the names of the Surveyor or Assistant Surveyor, Overseers or Assistant Overseers, and the amount of salary and allowances paid to each, weekly, monthly, or by the year.
  - (3.) A Return shewing the number of yards of macadamized, log, or gravelled roads repaired, and where such repairs were effected, the cost per yard, the name of the Contractor or Contractors, whether tendered for by private tender, or by public notice in the *Government Gazette*, and if by private tender, on what authority.
  - (4.) A Return shewing the number of men employed as laborers daily or weekly, the amount of daily, weekly, or monthly wages paid them, the work performed, and on which portion of the road, and the description of the materials used.
  - (5.) A Return shewing the number of horses, carts, or drays employed on said road, the cost per day or week, and the names of the owners of such horses, carts, or drays.
  - (6.) A Return showing the amount expended for repairs of bush tracks off the main line of road, and by what authority such expenditure was made.
6. MR. CUMMINGS to move, That there be laid upon the Table of this House,—
  - (1.) A Return shewing the amount granted and expended from 1st August, 1856, to 1st August, 1859, for the repairs of the Mudgee line of road, and for bridges from Hassan's Walls to Mudgee.
  - (2.) A Return shewing the names of the Surveyor, Assistant Surveyor, Overseers, or Assistant Overseers, and amount of salaries and allowances paid them respectively, by the week, month, or year, as the case may be.
  - (3.) A Return shewing the number of yards of macadamized, or gravelled roads, the cost per yard, if by contract, the name of the Contractor or Contractors, and upon what part of said road the work has been performed.
  - (4.) A Return showing the actual amount expended, and materials used, on each particular portion of said road.
  - (5.) A Return shewing the number of men employed as laborers, daily, weekly, or monthly, the amount of wages paid to each, the number of horses, carts or drays employed, the cost per day, week, or month, and the names of the owner or owners of such horses, carts, or drays.
7. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause public notice to be forthwith given to all holders of public office in this Colony, that after December 31, 1859, except as may be now, or hereafter otherwise provided by law, no such holder of office shall be, or become entitled to any retiring allowance or compensation for loss of office, arising or accruing after the date above specified; and that every such holder of office after such notice shall be considered to have again accepted office from the date, and subject to the condition of such notice.
8. DR. LANG to move,—
  - (1.) That a Select Committee be appointed to take into consideration and to report upon the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
  - (2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover.
9. MR. WILD to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the ensuing year, a sum not exceeding £300 for the re-erection of the Lock-up at Bargo.
10. MR. ATKINSON to move,—
  - (1.) That a Select Committee be appointed to inquire into the management, construction, and condition, of the Southern and Northern Railways of the Colony.
  - (2.) That such Committee consist of Mr. Flood, Mr. Hay, Mr. Jones, Mr. Samuel, Mr. Scott, Mr. Irving, Mr. Rotton, Mr. Parkes, Mr. Jamison, and the Mover.
11. MR. BLACK to move, That the Petition of Charles Skerrett, presented by him on the 11th instant, be printed.
12. DR. LANG to move, That the Report of the Select Committee of the late Legislative Assembly on the Presbyterian College, be referred to the Select Committee on the Presbyterian College, for their consideration.
13. MR. McARTHUR to move, That the Petition against the prayer of certain Petitioners, praying for the appointment of a Select Committee, to take into consideration certain Proceedings of the Synod of Australia in 1842, presented by him on the 18th instant, be printed.

14. DR. LANG to move, That the Petition of James Butler, presented by him on the 18th instant, be printed.
15. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
16. MR. MURRAY to move, That there be laid upon the Table of this House, a nominal Return showing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.
17. MR. BYRNES to move for leave to bring in a Bill to protect from pollution the Fresh Water collected for the supply of the Inhabitants of the Town and Suburbs of Parramatta.
18. MR. PLUNKETT to move, That the Petition of the Roman Catholic Archbishop, Clergy, and Laity of Sydney, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
19. MR. RUSSELL to move, That the Petition of certain Inhabitants of Denison Ward, Sydney, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
20. MR. MCARTHUR to move, That the Petition of certain Inhabitants of Cook and Fitzroy Wards, Sydney, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
21. MR. CAMPBELL to move, That the Petition from Balmain, relative to the Public Education Bill, presented by him on the 19th instant, be printed.

ORDERS OF THE DAY:—

1. Capital Punishments Abolition Bill; second reading.
2. Lien on Wool Act Continuation Bill; second reading.
3. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill be now read a second time."

Question:—

1. MR. PLUNKETT to ask THE SECRETARY FOR PUBLIC WORKS,—Whether it is the intention of the Government to place on the Supplementary Estimates a Sum of money for the enclosure and completion of Wynyard Square, according to the original expectations held out by the Government of the day, and which induced several of the present proprietors of land in that locality to buy the land there situated, and to erect houses thereon?

TUESDAY, OCTOBER 25.

Contingent Notice of Motion:—

1. MR. HODGSON to move, *as an amendment on Mr. Parkes' motion*,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its *affectionate loyalty* to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows:—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
2. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all the Magistrates who have been placed in the Commission of the Peace during the present Administration, specifying the recommendations received by the Government in favor of, and the dates of their appointments.

3. DR. LANG to move, That a Select Committee be appointed to inquire into certain proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, with power to send for persons and papers, and to report; the Committee to consist of ten Members, and to be appointed by ballot.
4. MR. GRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—  
(1.) A return of all the lands alienated by the Crown within the boundaries of the present Police District of Kiama, since the 1st January, 1835; shewing the extent of each lot, whether Town, Suburban or Country, together with the price realized by each, and the sum total arising from all such sales within the said District and within the said period.  
(2.) A return of all sums of money expended on Public Works within the Police District of Kiama, since the 1st January, 1835.
5. MR. PARKES to move, That this House will on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Estimates for 1860, the sum of £15,000, for the construction of a Bridge from Pyrmont to Glebe Island, in connection with the Public Abattoirs erected at that place.

ORDER OF THE DAY:—

1. Revenue and Audit Bill; second reading.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Tolls Amendment Act Repeal Bill; second reading.

WEDNESDAY, OCTOBER 26.

GOVERNMENT BUSINESS—NOTICE OF MOTION.

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

ORDERS OF THE DAY:—

1. Supply; Resumption of the Committee.
2. New Trial Motion Bill; to be considered in Committee.

THURSDAY, OCTOBER 27.

GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Crown Lands Sales Bill; second reading.
2. Crown Lands Occupation Bill; second reading.
3. Leased Lands Occupation Bill; second reading.
4. Public Worship Bill; second reading.

FRIDAY, OCTOBER 28.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. DARK to move,—  
(1) That a Select Committee be appointed to inquire into the present state of the Agriculturists, and the system usually adopted in reference to the growth of agricultural productions generally.  
(2.) That such Committee consist of the following Members, viz.:—Mr. Parkes, Mr. Hodgson, Mr. Rotton, Mr. Arnold, Mr. Dickson, Mr. Irving, Mr. Windeyer, Mr. Close, Mr. Flett, and the Mover.
2. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.

TUESDAY, NOVEMBER 1.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. SCOTT to move,—  
1. That a Select Committee be appointed to inquire into and report,—  
(1.) Upon the expediency of establishing a Local Harbour and Pilot Board,  
(2.) Upon the operation of the present system of Tonnage Dues; and,  
(3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.  
2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
2. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, full copies of all papers connected with the summary dismissal of Lieutenant Seaver, R.N., from the offices of Deputy Harbour Master and Shipping Master, at Newcastle, including the report of the Board of Inquiry into the conduct of the Harbour Master's Department at that Port; of all recommendations of the Colonial Treasurer; and of all Minutes of the Executive Council with respect to the matter contained in the above Report.

ORDER OF THE DAY:—

1. Law of Primogeniture Abolition Bill; second reading.

DANIEL COOPER,  
*Speaker.*



No. 30.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

THURSDAY, 20 OCTOBER, 1859.

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

Adjournment:—Mr. Cowper informed the House, that in consequence of recent circumstances, to which it would not be necessary more particularly to allude, the Ministry had this day tendered the resignation of their several offices to the Governor General;—that His Excellency had been pleased to accept of such resignation; and that as they now hold office only until their successors are appointed, he would move, and did accordingly move, That this House do now adjourn until Tuesday next.

Question put and passed;—

Whereupon the House adjourned, at half-past Three o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, OCTOBER 25.

*Contingent Notices of Motion:—*

1. Mr. HODGSON to move, *as an amendment on Mr. Parkes' motion*,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its *affectionate loyalty* to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.
2. Mr. JENKINS to move, *as an amendment on the first four Resolutions to be proposed in Committee of Ways and Means by Mr. Weekes*,—That all the words after "That" in the first, and all the words in the remaining three Resolutions be omitted, with a view to the insertion in their place of the words following:—"the present duties of Customs chargeable on Tea and Sugar imported into this Colony be maintained, but that the Revenue thus derived shall in future, (or after the 30th June, 1860,) be set apart as a *distinct Fund* for the promotion of *Public Education*, (especially for the establishment and maintenance of elementary schools throughout the Colony)."

OTHER BUSINESS—NOTICES OF MOTION:—

1. Mr. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows:—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.

2. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all the Magistrates who have been placed in the Commission of the Peace during the present Administration, specifying the recommendations received by the Government in favor of, and the dates of their appointments.
3. DR. LANG to move, That a Select Committee be appointed to inquire into certain proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, with power to send for persons and papers, and to report; the Committee to consist of ten Members, and to be appointed by ballot.
4. MR. GRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—  
(1.) A return of all the lands alienated by the Crown within the boundaries of the present Police District of Kiama, since the 1st January, 1835; shewing the extent of each lot, whether Town, Suburban or Country, together with the price realized by each, and the sum total arising from all such sales within the said District and within the said period.  
(2.) A return of all sums of money expended on Public Works within the Police District of Kiama, since the 1st January, 1835.
5. MR. PARKES to move, That this House will on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Estimates for 1860, the sum of £15,000, for the construction of a Bridge from Pyrmont to Glebe Island, in connection with the Public Abattoirs erected at that place.
6. MR. COOPER to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Additional Estimates for 1860, the sum of £100, in aid of the Literary Institution at Braidwood.
7. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all correspondence between the Executive Government and any person or persons, and of all records of proceedings before the Bench of Magistrates at Muswellbrook, relative to any charges made against Luke Holman Sibthorpe, late Clerk of Petty Sessions at the place aforesaid, prior to his appointment as Commissioner of Crown Lands for the District of Wellington.
8. MR. BLACK to move, That the Petition of Thomas Walker, as Chairman of a Public Meeting held in Sydney, relative to State Aid to Religion, presented by him on the 19th instant, be printed.
9. MR. ROTTON to move, That the Petition relative to the Broad Wheels Act and to the collection of Tolls, presented by him on the 19th instant, be printed.
10. MR. CLEMENTS to move. That the Petition relative to the Impounding Laws, presented by him on the 19th instant, be printed.
11. MR. BYRNES to move, That the Petition from Parramatta, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
12. MR. CLOSE to move, That the Petition from Randwick, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
13. MR. FLOOD to move, That the Petition from Waverley, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
14. MR. PARKES to move, That in accordance with the recommendations of the Select Committee appointed to inquire into the matter of the Petition of James Hoskins, Esquire, claiming to have been elected for the Electoral District of the Gold Fields North, this House resolves as follows:—  
(1.) That the Returning Officer be communicated with as early as possible, and instructed to return the Writ with the name of the person endorsed thereon who was elected according to the returns transmitted to such Returning Officer.  
(2.) That the said Returning Officer be instructed to forward to the Clerk of the Assembly, the voting papers transmitted to him in accordance with the 56th section of the Electoral Act.  
(3.) That the time for presenting Petitions against the validity of the return of the person whose name may be endorsed on the Writ by the said Returning Officer, be held to date from the day of the return of the Writ as aforesaid.  
(4.) That, to obviate the recurrence of similar inconvenience in future, it is advisable that the Speaker shall, within a limited period of the meeting of Parliament after a general election, report to the House any case where the Writ has not been regularly returned, in order that steps may be taken without delay to afford redress.  
(5.) That the first three of the foregoing Resolutions be communicated by Address to His Excellency the Governor General.
15. MR. WILSON to move,—  
(1.) That the export tax on gold, is a direct tax on the most important branch of Colonial industry, and being levied on a particular class, is repugnant to justice and the principles of equal taxation, and ought therefore to be repealed.  
(2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.
16. MR. DARK to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.

31/1902

£1000 all member

43/1919

chairman £250  
£2500

30/1957

(2) member £1500

member £2000

chairman £3500

1983

chairman £4500 + £350  
member £3250 £4850

181

596

09-65





17. DR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd ultimo, be now taken into consideration.
18. MR. DOUGLAS to move, That the apportionment of the Public Debt, in the event of the Separation of Moreton Bay, cannot be lawfully effected without the consent of the respective Legislatures.
19. MR. CUMMINGS to move, That there be laid upon the Table of this House,—
  - (1.) A Return shewing the amount granted and expended from 1st August, 1856, to 1st August, 1859, for the repairs of the main line of road and bridges from the western bank of the Nepean River, to the eastern bank of the Macquarie River.
  - (2.) A Return shewing the names of the Surveyor or Assistant Surveyor, Overseers or Assistant Overseers, and the amount of salary and allowances paid to each, weekly, monthly, or by the year.
  - (3.) A Return shewing the number of yards of macadamized, log, or gravelled roads repaired, and where such repairs were effected, the cost per yard, the name of the Contractor or Contractors, whether tendered for by private tender, or by public notice in the *Government Gazette*, and if by private tender, on what authority.
  - (4.) A Return shewing the number of men employed as laborers daily or weekly, the amount of daily, weekly, or monthly wages paid them, the work performed, and on which portion of the road, and the description of the materials used.
  - (5.) A Return shewing the number of horses, carts, or drays employed on said road, the cost per day or week, and the names of the owners of such horses, carts, or drays.
  - (6.) A Return shewing the amount expended for repairs of bush tracks off the main line of road, and by what authority such expenditure was made.
20. MR. CUMMINGS to move, That there be laid upon the Table of this House,—
  - (1.) A Return shewing the amount granted and expended from 1st August, 1856, to 1st August, 1859, for the repairs of the Mudgee line of road, and for bridges from Hassan's Walls to Mudgee.
  - (2.) A Return shewing the names of the Surveyor, Assistant Surveyor, Overseers, or Assistant Overseers, and amount of salaries and allowances paid them respectively, by the week, month, or year, as the case may be.
  - (3.) A Return shewing the number of yards of macadamized, or gravelled roads, the cost per yard, if by contract, the name of the Contractor or Contractors, and upon what part of said road the work has been performed.
  - (4.) A Return shewing the actual amount expended, and materials used, on each particular portion of said road.
  - (5.) A Return shewing the number of men employed as laborers, daily, weekly, or monthly, the amount of wages paid to each, the number of horses, carts or drays employed, the cost per day, week, or month, and the names of the owner or owners of such horses, carts, or drays.
21. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause public notice to be forthwith given to all holders of public office in this Colony, that after December 31, 1859, except as may be now, or hereafter otherwise provided by law, no such holder of office shall be, or become entitled to any retiring allowance or compensation for loss of office, arising or accruing after the date above specified; and that every such holder of office after such notice shall be considered to have again accepted office from the date, and subject to the condition of such notice.
22. DR. LANG to move,—
  - (1.) That a Select Committee be appointed to take into consideration and to report upon the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
  - (2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover.
23. MR. WILD to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the ensuing year, a sum not exceeding £300 for the re-erection of the Lock-up at Bargo.
24. MR. ATKINSON to move,—
  - (1.) That a Select Committee be appointed to inquire into the management, construction, and condition, of the Southern and Northern Railways of the Colony.
  - (2.) That such Committee consist of Mr. Flood, Mr. Hay, Mr. Jones, Mr. Samuel, Mr. Scott, Mr. Irving, Mr. Rotton, Mr. Parkes, Mr. Jamison, and the Mover.
25. MR. BLACK to move, That the Petition of Charles Skerrett, presented by him on the 11th instant, be printed.
26. DR. LANG to move, That the Report of the Select Committee of the late Legislative Assembly on the Presbyterian College, be referred to the Select Committee on the Presbyterian College, for their consideration.
27. MR. MCARTHUR to move, That the Petition against the prayer of certain Petitioners, praying for the appointment of a Select Committee, to take into consideration certain Proceedings of the Synod of Australia in 1842, presented by him on the 18th instant, be printed.
28. DR. LANG to move, That the Petition of James Butler, presented by him on the 18th instant, be printed.
29. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.

30. MR. MURRAY to move, That there be laid upon the Table of this House, a nominal Return showing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.
31. MR. BYRNES to move for leave to bring in a Bill to protect from pollution the Fresh Water collected for the supply of the Inhabitants of the Town and Suburbs of Parramatta.
32. MR. PLUNKETT to move, That the Petition of the Roman Catholic Archbishop, Clergy, and Laity of Sydney, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
33. MR. RUSSELL to move, That the Petition of certain Inhabitants of Denison Ward, Sydney, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
34. MR. MCARTHUR to move, That the Petition of certain Inhabitants of Cook and Fitzroy Wards, Sydney, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
35. MR. CAMPBELL to move, That the Petition from Balmain, relative to the Public Education Bill, presented by him on the 19th instant, be printed.

ORDERS OF THE DAY:—

1. Revenue and Audit Bill; second reading.
2. Police Regulation Act Amendment Bill; third reading.
3. Report of Standing Orders Committee on Proceedings in Committee of Supply; to be considered in Committee.
4. Capital Punishments Abolition Bill; second reading.
5. Lien on Wool Act Continuation Bill; second reading.
6. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill be now read a second time."

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. COWPER to move:—  
(1.) That a Select Committee, consisting of Ten Members, be appointed to inquire into and report upon the proposal of Mr. F. Gisborne, for constructing a Sub-marine Telegraph Line from East Java to Moreton Bay, and that the Correspondence laid upon the Table, by Command, and printed, be referred to the Committee.  
(2.) That such Committee consist of the following Members:—Mr. Jones, Mr. Hay, Mr. Scott, Mr. Arnold, Mr. Douglas, Mr. Hodgson, Mr. Atkinson, Mr. Macalister, and Mr. Mort.

ORDERS OF THE DAY:—

1. Tolls Amendment Act Repeal Bill; second reading.
2. Judges' Pensions Bill; to be considered in Committee.
3. Ways and Means; Resumption of the Committee.

Question:—

1. MR. PLUNKETT to ask THE SECRETARY FOR PUBLIC WORKS,—Whether it is the intention of the Government to place on the Supplementary Estimates a Sum of money for the enclosure and completion of Wynyard Square, according to the original expectations held out by the Government of the day, and which induced several of the present proprietors of land in that locality to buy the land there situated, and to erect houses thereon?

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WEDNESDAY, OCTOBER 26.

GOVERNMENT BUSINESS—NOTICE OF MOTION.

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

ORDERS OF THE DAY:—

1. Supply; Resumption of the Committee.
2. New Trial Motion Bill; to be considered in Committee.

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THURSDAY, OCTOBER 27.

GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Crown Lands Sales Bill; second reading.
  2. Crown Lands Occupation Bill; second reading.
  3. Leased Lands Occupation Bill; second reading.
  4. Public Worship Bill; second reading.
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FRIDAY.

FRIDAY, OCTOBER 28.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. DARR to move,—  
 (1.) That a Select Committee be appointed to inquire into the present state of the Agriculturists, and the system usually adopted in reference to the growth of agricultural productions generally.  
 (2.) That such Committee consist of the following Members, viz. :—Mr. Parkes, Mr. Hodgson, Mr. Rotton, Mr. Arnold, Mr. Dickson, Mr. Irving, Mr. Windeyer, Mr. Close, Mr. Flett, and the Mover.
2. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.

TUESDAY, NOVEMBER 1.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. SCOTT to move,—  
 1. That a Select Committee be appointed to inquire into and report,—  
 (1.) Upon the expediency of establishing a Local Harbour and Pilot Board,  
 (2.) Upon the operation of the present system of Tonnage Dues; and,  
 (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.  
 2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
2. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, full copies of all papers connected with the summary dismissal of Lieutenant Seaver, R.N., from the offices of Deputy Harbour Master and Shipping Master, at Newcastle, including the report of the Board of Inquiry into the conduct of the Harbour Master's Department at that Port; of all recommendations of the Colonial Treasurer; and of all Minutes of the Executive Council with respect to the matter contained in the above Report.

ORDER OF THE DAY :—

1. Law of Primogeniture Abolition Bill; second reading.

DANIEL COOPER,  
*Speaker.*



No. 31.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

TUESDAY, 25 OCTOBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Adjournment:—Mr. Cowper informed the House that he had received a note from Mr. Forster, requesting him to move the adjournment of the House for one day longer, as his arrangements were not completed,—  
And then moved, That this House do now adjourn until to-morrow, at Three o'clock.  
Question put and passed;—  
Whereupon the House adjourned, at twenty minutes after Three o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, OCTOBER 26.

*Contingent Notices of Motion:—*

1. Mr. HODGSON to move, *as an amendment on Mr. Purkes' motion*,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its *affectionate loyalty* to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.
2. Mr. JENKINS to move, *as an amendment on the first four Resolutions to be proposed in Committee of Ways and Means by Mr. Weekes*,—That all the words after "That" in the first, and all the words in the remaining three Resolutions be omitted, with a view to the insertion in their place of the words following:—"the present duties of Customs chargeable on Tea and Sugar imported into this Colony be maintained, but that the Revenue thus derived shall in future, (or after the 30th June, 1860,) be set apart as a *distinct Fund* for the promotion of *Public Education*, (especially for the establishment and maintenance of elementary schools throughout the Colony)."

## GOVERNMENT BUSINESS—NOTICES OF MOTION.

1. Mr. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. Mr. COWPER to move:—  
(1.) That a Select Committee, consisting of Ten Members, be appointed to inquire into and report upon the proposal of Mr. F. Gisborne, for constructing a Sub-marine Telegraph Line from East Java to Moreton Bay, and that the Correspondence laid upon the Table, by Command, and printed, be referred to the Committee.  
(2.) That such Committee consist of the following Members:—Mr. Jones, Mr. Hay, Mr. Scott, Mr. Arnold, Mr. Douglas, Mr. Hodgson, Mr. Atkinson, Mr. Macalister, and Mr. Mort.

## ORDERS OF THE DAY:—

1. Supply; Resumption of the Committee.
2. New Trial Motion Bill; to be considered in Committee.
3. Tolls Amendment Act Repeal Bill; second reading.
4. Judges' Pensions Bill; to be considered in Committee.
5. Ways and Means; Resumption of the Committee.

OTHER

## OTHER BUSINESS—NOTICES OF MOTION:—

1. Mr. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows:—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
2. Mr. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all the Magistrates who have been placed in the Commission of the Peace during the present Administration, specifying the recommendations received by the Government in favor of, and the dates of their appointments.
3. Dr. LANG to move, That a Select Committee be appointed to inquire into certain proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, with power to send for persons and papers, and to report; the Committee to consist of ten Members, and to be appointed by ballot.
4. Mr. GRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
  - (1.) A return of all the lands alienated by the Crown within the boundaries of the present Police District of Kiama, since the 1st January, 1835; shewing the extent of each lot, whether Town, Suburban or Country, together with the price realized by each, and the sum total arising from all such sales within the said District and within the said period.
  - (2.) A return of all sums of money expended on Public Works within the Police District of Kiama, since the 1st January, 1835.
5. Mr. PARKES to move, That this House will on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Estimates for 1860, the sum of £15,000, for the construction of a Bridge from Pyrmont to Glebe Island, in connection with the Public Abattoirs erected at that place.
6. Mr. COOPER to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Additional Estimates for 1860, the sum of £100, in aid of the Literary Institution at Braidwood.
7. Mr. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all correspondence between the Executive Government and any person or persons, and of all records of proceedings before the Bench of Magistrates at Muswellbrook, relative to any charges made against Luke Holman Sibthorpe, late Clerk of Petty Sessions at the place aforesaid, prior to his appointment as Commissioner of Crown Lands for the District of Wellington.
8. Mr. BLACK to move, That the Petition of Thomas Walker, as Chairman of a Public Meeting held in Sydney, relative to State Aid to Religion, presented by him on the 19th instant, be printed.
9. Mr. RYTON to move, That the Petition relative to the Broad Wheels Act and to the collection of Tolls, presented by him on the 19th instant, be printed.
10. Mr. CLEMENTS to move, That the Petition relative to the Impounding Laws, presented by him on the 19th instant, be printed.
11. Mr. BYRNES to move, That the Petition from Parramatta, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
12. Mr. CLOSE to move, That the Petition from Randwick, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
13. Mr. FLOOD to move, That the Petition from Waverley, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
14. Mr. PARKES to move, That in accordance with the recommendations of the Select Committee appointed to inquire into the matter of the Petition of James Hoskins, Esquire, claiming to have been elected for the Electoral District of the Gold Fields North, this House resolves as follows:—
  - (1.) That the Returning Officer be communicated with as early as possible, and instructed to return the Writ with the name of the person endorsed thereon who was elected according to the returns transmitted to such Returning Officer.
  - (2.) That the said Returning Officer be instructed to forward to the Clerk of the Assembly, the voting papers transmitted to him in accordance with the 56th section of the Electoral Act.

- (3.) That the time for presenting Petitions against the validity of the return of the person whose name may be endorsed on the Writ by the said Returning Officer, be held to date from the day of the return of the Writ as aforesaid.
- (4.) That, to obviate the recurrence of similar inconvenience in future, it is advisable that the Speaker shall, within a limited period of the meeting of Parliament after a general election, report to the House any case where the Writ has not been regularly returned, in order that steps may be taken without delay to afford redress.
- (5.) That the first three of the foregoing Resolutions be communicated by Address to His Excellency the Governor General.
15. MR. WILSON to move,—
- (1.) That the export tax on gold, is a direct tax on the most important branch of Colonial industry, and being levied on a particular class, is repugnant to justice and the principles of equal taxation, and ought therefore to be repealed.
- (2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.
16. MR. DARR to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.
17. MR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd ultimo, be now taken into consideration.
18. MR. DOUGLAS to move, That the apportionment of the Public Debt, in the event of the Separation of Moreton Bay, cannot be lawfully effected without the consent of the respective Legislatures.
19. MR. CUMMINGS to move, That there be laid upon the Table of this House,—
- (1.) A Return shewing the amount granted and expended from 1st August, 1856, to 1st August, 1859, for the repairs of the main line of road and bridges from the western bank of the Nepean River, to the eastern bank of the Macquarie River.
- (2.) A Return shewing the names of the Surveyor or Assistant Surveyor, Overseers or Assistant Overseers, and the amount of salary and allowances paid to each, weekly, monthly, or by the year.
- (3.) A Return shewing the number of yards of macadamized, log, or gravelled roads repaired, and where such repairs were effected, the cost per yard, the name of the Contractor or Contractors, whether tendered for by private tender, or by public notice in the *Government Gazette*, and if by private tender, on what authority.
- (4.) A Return shewing the number of men employed as laborers daily or weekly, the amount of daily, weekly, or monthly wages paid them, the work performed, and on which portion of the road, and the description of the materials used.
- (5.) A Return shewing the number of horses, carts, or drays employed on said road, the cost per day or week, and the names of the owners of such horses, carts, or drays.
- (6.) A Return shewing the amount expended for repairs of bush tracks off the main line of road, and by what authority such expenditure was made.
20. MR. CUMMINGS to move, That there be laid upon the Table of this House,—
- (1.) A Return shewing the amount granted and expended from 1st August, 1850, to 1st August, 1859, for the repairs of the Mudgee line of road, and for bridges from Hassan's Walls to Mudgee.
- (2.) A Return shewing the names of the Surveyor, Assistant Surveyor, Overseers, or Assistant Overseers, and amount of salaries and allowances paid them respectively, by the week, month, or year, as the case may be.
- (3.) A Return shewing the number of yards of macadamized, or gravelled roads, the cost per yard, if by contract, the name of the Contractor or Contractors, and upon what part of said road the work has been performed.
- (4.) A Return shewing the actual amount expended, and materials used, on each particular portion of said road.
- (5.) A Return shewing the number of men employed as laborers, daily, weekly, or monthly, the amount of wages paid to each, the number of horses, carts or drays employed, the cost per day, week, or month, and the names of the owner or owners of such horses, carts, or drays.
21. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause public notice to be forthwith given to all holders of public office in this Colony, that after December 31, 1859, except as may be now, or hereafter otherwise provided by law, no such holder of office shall be, or become entitled to any retiring allowance or compensation for loss of office, arising or accruing after the date above specified; and that every such holder of office after such notice shall be considered to have again accepted office from the date, and subject to the condition of such notice.
22. DR. LANG to move,—
- (1.) That a Select Committee be appointed to take into consideration and to report upon the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
- (2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover.
23. MR. WILD to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the ensuing year, a sum not exceeding £300 for the re-erection of the Lock-up at Bargo.

24. **MR. ATKINSON** to move,—  
 (1.) That a Select Committee be appointed to inquire into the management, construction, and condition, of the Southern and Northern Railways of the Colony.  
 (2.) That such Committee consist of Mr. Flood, Mr. Hay, Mr. Jones, Mr. Samuel, Mr. Scott, Mr. Irving, Mr. Rotton, Mr. Parkes, Mr. Jamison, and the Mover.
25. **MR. BLACK** to move, That the Petition of Charles Skerrett, presented by him on the 11th instant, be printed.
26. **DR. LANG** to move, That the Report of the Select Committee of the late Legislative Assembly on the Presbyterian College; be referred to the Select Committee on the Presbyterian College, for their consideration.
27. **MR. MCARTHUR** to move, That the Petition against the prayer of certain Petitioners, praying for the appointment of a Select Committee, to take into consideration certain Proceedings of the Synod of Australia in 1842, presented by him on the 18th instant, be printed.
28. **DR. LANG** to move, That the Petition of James Butler, presented by him on the 18th instant, be printed.
29. **MR. MURRAY** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
30. **MR. MURRAY** to move, That there be laid upon the Table of this House, a nominal Return shewing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.
31. **MR. BYRNES** to move for leave to bring in a Bill to protect from pollution the Fresh Water collected for the supply of the Inhabitants of the Town and Suburbs of Parramatta.
32. **MR. PLUNKETT** to move, That the Petition of the Roman Catholic Archbishop, Clergy, and Laity of Sydney, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
33. **MR. RUSSELL** to move, That the Petition of certain Inhabitants of Denison Ward, Sydney, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
34. **MR. MCARTHUR** to move, That the Petition of certain Inhabitants of Cook and Fitzroy Wards, Sydney, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
35. **MR. CAMPBELL** to move, That the Petition from Balmain, relative to the Public Education Bill, presented by him on the 19th instant, be printed.

**ORDERS OF THE DAY :—**

1. Revenue and Audit Bill; second reading.
2. Police Regulation Act Amendment Bill; third reading.
3. Report of Standing Orders Committee on Proceedings in Committee of Supply; to be considered in Committee.
4. Capital Punishments Abolition Bill; second reading.
5. Lien on Wool Act Continuation Bill; second reading.
6. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill be now read a second time."

**Question :—**

1. **MR. PLUNKETT** to ask THE SECRETARY FOR PUBLIC WORKS,—Whether it is the intention of the Government to place on the Supplementary Estimates a Sum of money for the enclosure and completion of Wynyard Square, according to the original expectations held out by the Government of the day, and which induced several of the present proprietors of land in that locality to buy the land there situated, and to erect houses thereon?

**THURSDAY, OCTOBER 27.**

**GOVERNMENT BUSINESS—ORDERS OF THE DAY.**

1. Crown Lands Sales Bill; second reading.
2. Crown Lands Occupation Bill; second reading.
3. Leased Lands Occupation Bill; second reading.
4. Public Worship Bill; second reading.

**FRIDAY, OCTOBER 28.**

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. **MR. DARK** to move,—  
 (1.) That a Select Committee be appointed to inquire into the present state of the Agriculturists, and the system usually adopted in reference to the growth of agricultural productions generally.  
 (2.) That such Committee consist of the following Members, viz.:—Mr. Parkes, Mr. Hodgson, Mr. Rotton, Mr. Arnold, Mr. Dickson, Mr. Irving, Mr. Windeyer, Mr. Close, Mr. Flett, and the Mover.
2. **DR. LANG** to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.

**TUESDAY,**



TUESDAY, NOVEMBER 1.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. SCOTT to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board,
    - (2.) Upon the operation of the present system of Tonnage Dues ; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
2. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, full copies of all papers connected with the summary dismissal of Lieutenant Fearer, R.N., from the offices of Deputy Harbour Master and Shipping Master, at Newcastle, including the report of the Board of Inquiry into the conduct of the Harbour Master's Department at that Port ; of all recommendations of the Colonial Treasurer ; and of all Minutes of the Executive Council with respect to the matter contained in the above Report.

ORDER OF THE DAY :—

1. Law of Primogeniture Abolition Bill ; second reading.

DANIEL COOPER,  
*Speaker.*

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No. 32.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

WEDNESDAY, 26 OCTOBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Vacant Seats:—Mr. Wisdom informed the House, by request of the New Administration, that William Forster, Esquire, Saul Samuel, Esquire, and John Black, Esquire, had made their several acknowledgments on acceptance of Office under the Crown in this Colony, and had thereby vacated their Seats in this House;—  
 Mr. Wisdom then moved,—  
 (1) That the Seat of William Forster, Esquire, hath become and is now vacant by reason of his acceptance of the Office of Colonial Secretary since his election and return to serve in this House as Member for the Electoral District of Queanbeyan.  
 Question put and passed.  
 (2.) That the Seat of Saul Samuel, Esquire, hath become and is now vacant by reason of his acceptance of the Office of Colonial Treasurer since his election and return to serve in this House as Member for the Electoral District of Orange.  
 Question put and passed.  
 (3.) That the Seat of John Black, Esquire, hath become and is now vacant by reason of his acceptance of the Office of Secretary for Lands since his election and return to serve in this House as a Member for the Electoral District of East Sydney.  
 Question put and passed.
2. Committee of Elections and Qualifications:—Mr. Scott moved, without previous notice, That the Committee of Elections and Qualifications have leave to adjourn until the next sitting day of this House.  
 Debate ensued.  
 Question put and passed.
3. Adjournment:—Mr. Wisdom moved, That this House do now adjourn until Tuesday the 29th day of November next,—  
 And Mr. Cowper having explained the circumstances under which the late Ministry had resigned,—  
 And Mr. Jones and Mr. Hay having explained the advice they had severally tendered to His Excellency the Governor General on being sent for,—  
 Question put and passed;—  
 Whereupon the House adjourned, at seven minutes after Four o'clock, until Tuesday, the 29th November next, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, NOVEMBER 29.

*Contingent Notices of Motion:—*

1. MR. HODGSON to move, as an amendment on Mr. Purkes' motion,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

2. MR. JENKINS to move, *as an amendment on the first four Resolutions to be proposed in Committee of Ways and Means by Mr. Weekes*,—That all the words after "That" in the first, and all the words in the remaining three Resolutions be omitted, with a view to the insertion in their place of the words following:—"the present duties of Customs chargeable on Tea and Sugar imported into this Colony be maintained, but that the Revenue thus derived shall in future, (or after the 30th June, 1860,) be set apart as a distinct Fund for the promotion of *Public Education*, (especially for the establishment and maintenance of elementary schools throughout the Colony)."

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. MR. COWPER to move :—
  - (1.) That a Select Committee, consisting of Ten Members, be appointed to inquire into and report upon the proposal of Mr. F. Gisborne, for constructing a Sub-marine Telegraph Line from East Java to Moreton Bay, and that the Correspondence laid upon the Table, by Command, and printed, be referred to the Committee.
  - (2.) That such Committee consist of the following Members :—Mr. Jones, Mr. Hay, Mr. Scott, Mr. Arnold, Mr. Douglas, Mr. Hodgson, Mr. Atkinson, Mr. Macalister, and Mr. Mort.
3. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
4. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all the Magistrates who have been placed in the Commission of the Peace during the present Administration, specifying the recommendations received by the Government in favor of, and the dates of their appointments.
5. DR. LANG to move, That a Select Committee be appointed to inquire into certain proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, with power to send for persons and papers, and to report; the Committee to consist of ten Members, and to be appointed by ballot.
6. MR. GRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A return of all the lands alienated by the Crown within the boundaries of the present Police District of Kiama, since the 1st January, 1835; shewing the extent of each lot, whether Town, Suburban or Country, together with the price realized by each, and the sum total arising from all such sales within the said District and within the said period.
  - (2.) A return of all sums of money expended on Public Works within the Police District of Kiama, since the 1st January, 1835.
7. MR. PARKES to move, That this House will on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Estimates for 1860, the sum of £15,000, for the construction of a Bridge from Pyrmont to Glebe Island, in connection with the Public Abattoirs erected at that place.
8. MR. COOPER to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Additional Estimates for 1860, the sum of £100, in aid of the Literary Institution at Braidwood.
9. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all correspondence between the Executive Government and any person or persons, and of all records of proceedings before the Bench of Magistrates at Muswellbrook, relative to any charges made against Luke Holman Sibthorpe, late Clerk of Petty Sessions at the place aforesaid, prior to his appointment as Commissioner of Crown Lands for the District of Wellington.
10. MR. BLACK to move, That the Petition of Thomas Walker, as Chairman of a Public Meeting held in Sydney, relative to State Aid to Religion, presented by him on the 19th instant, be printed.

11. MR. ROTTON to move, That the Petition relative to the Broad Wheels Act and to the collection of Tolls, presented by him on the 19th instant, be printed.
12. MR. CLEMENTS to move. That the Petition relative to the Impounding Laws, presented by him on the 19th instant, be printed.
13. MR. BYRNES to move, That the Petition from Parramatta, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
14. MR. CLOSE to move, That the Petition from Randwick, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
15. MR. FLOOD to move, That the Petition from Waverley, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
16. MR. PARKES to move, That in accordance with the recommendations of the Select Committee appointed to inquire into the matter of the Petition of James Hoskins, Esquire, claiming to have been elected for the Electoral District of the Gold Fields North, this House resolves as follows:—
  - (1.) That the Returning Officer be communicated with as early as possible, and instructed to return the Writ with the name of the person endorsed thereon who was elected according to the returns transmitted to such Returning Officer.
  - (2.) That the said Returning Officer be instructed to forward to the Clerk of the Assembly, the voting papers transmitted to him in accordance with the 56th section of the Electoral Act.
  - (3.) That the time for presenting Petitions against the validity of the return of the person whose name may be endorsed on the Writ by the said Returning Officer, be held to date from the day of the return of the Writ as aforesaid.
  - (4.) That, to obviate the recurrence of similar inconvenience in future, it is advisable that the Speaker shall, within a limited period of the meeting of Parliament after a general election, report to the House any case where the Writ has not been regularly returned, in order that steps may be taken without delay to afford redress.
  - (5.) That the first three of the foregoing Resolutions be communicated by Address to His Excellency the Governor General.
17. MR. WILSON to move,—
  - (1.) That the export tax on gold, is a direct tax on the most important branch of Colonial industry, and being levied on a particular class, is repugnant to justice and the principles of equal taxation, and ought therefore to be repealed.
  - (2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.
18. MR. DARK to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.
19. DR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd ultimo, be now taken into consideration.
20. MR. DOUGLAS to move, That the apportionment of the Public Debt, in the event of the Separation of Moreton Bay, cannot be lawfully effected without the consent of the respective Legislatures.
21. MR. CUMMINGS to move, That there be laid upon the Table of this House,—
  - (1.) A Return shewing the amount granted and expended from 1st August, 1856, to 1st August, 1859, for the repairs of the main line of road and bridges from the western bank of the Nepean River, to the eastern bank of the Macquarie River.
  - (2.) A Return shewing the names of the Surveyor or Assistant Surveyor, Overseers or Assistant Overseers, and the amount of salary and allowances paid to each, weekly, monthly, or by the year.
  - (3.) A Return shewing the number of yards of macadamized, log, or gravelled roads repaired, and where such repairs were effected, the cost per yard, the name of the Contractor or Contractors, whether tendered for by private tender, or by public notice in the *Government Gazette*, and if by private tender, on what authority.
  - (4.) A Return shewing the number of men employed as laborers daily or weekly, the amount of daily, weekly, or monthly wages paid them, the work performed, and on which portion of the road, and the description of the materials used.
  - (5.) A Return shewing the number of horses, carts, or drays employed on said road, the cost per day or week, and the names of the owners of such horses, carts, or drays.
  - (6.) A Return shewing the amount expended for repairs of bush tracks off the main line of road, and by what authority such expenditure was made.
22. MR. CUMMINGS to move, That there be laid upon the Table of this House,—
  - (1.) A Return shewing the amount granted and expended from 1st August, 1856, to 1st August, 1859, for the repairs of the Mudgee line of road, and for bridges from Hassan's Walls to Mudgee.
  - (2.) A Return shewing the names of the Surveyor, Assistant Surveyor, Overseers, or Assistant Overseers, and amount of salaries and allowances paid them respectively, by the week, month, or year, as the case may be.
  - (3.) A Return shewing the number of yards of macadamized, or gravelled roads, the cost per yard, if by contract, the name of the Contractor or Contractors, and upon what part of said road the work has been performed.
  - (4.) A Return shewing the actual amount expended, and materials used, on each particular portion of said road.

- (5.) A Return shewing the number of men employed as laborers, daily, weekly, or monthly, the amount of wages paid to each, the number of horses, carts or drays employed, the cost per day, week, or month, and the names of the owner or owners of such horses, carts, or drays.
23. **MR. FORSTER** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause public notice to be forthwith given to all holders of public office in this Colony, that after December 31, 1859, except as may be now, or hereafter otherwise provided by law, no such holder of office shall be, or become entitled to any retiring allowance or compensation for loss of office, arising or accruing after the date above specified; and that every such holder of office after such notice shall be considered to have again accepted office from the date, and subject to the condition of such notice.
24. **DR. LANG** to move,—  
 (1.) That a Select Committee be appointed to take into consideration and to report upon the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.  
 (2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover.
25. **MR. WILD** to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the ensuing year, a sum not exceeding £300 for the re-erection of the Lock-up at Bargo.
26. **MR. ATKINSON** to move,—  
 (1.) That a Select Committee be appointed to inquire into the management, construction, and condition, of the Southern and Northern Railways of the Colony.  
 (2.) That such Committee consist of Mr. Flood, Mr. Hay, Mr. Jones, Mr. Samuel, Mr. Scott, Mr. Irving, Mr. Rotton, Mr. Parkes, Mr. Jamison, and the Mover.
27. **MR. BLACK** to move, That the Petition of Charles Skerrett, presented by him on the 11th instant, be printed.
28. **DR. LANG** to move, That the Report of the Select Committee of the late Legislative Assembly on the Presbyterian College, be referred to the Select Committee on the Presbyterian College, for their consideration.
29. **MR. McARTHUR** to move, That the Petition against the prayer of certain Petitioners, praying for the appointment of a Select Committee, to take into consideration certain Proceedings of the Synod of Australia in 1842, presented by him on the 18th instant, be printed.
30. **DR. LANG** to move, That the Petition of James Butler, presented by him on the 18th instant, be printed.
31. **MR. MURRAY** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
32. **MR. MURRAY** to move, That there be laid upon the Table of this House, a nominal Return shewing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.
33. **MR. BYRNES** to move for leave to bring in a Bill to protect from pollution the Fresh Water collected for the supply of the Inhabitants of the Town and Suburbs of Parramatta.
34. **MR. PLUNKETT** to move, That the Petition of the Roman Catholic Archbishop, Clergy, and Laity of Sydney, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
35. **MR. RUSSELL** to move, That the Petition of certain Inhabitants of Denison Ward, Sydney, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
36. **MR. McARTHUR** to move, That the Petition of certain Inhabitants of Cook and Fitzroy Wards, Sydney, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
37. **MR. CAMPBELL** to move, That the Petition from Balmain, relative to the Public Education Bill, presented by him on the 19th instant, be printed.
38. **MR. DARK** to move,—  
 (1.) That a Select Committee be appointed to inquire into the present state of the Agriculturists, and the system usually adopted in reference to the growth of agricultural productions generally.  
 (2.) That such Committee consist of the following Members, viz.:—Mr. Parkes, Mr. Hodgson, Mr. Rotton, Mr. Arnold, Mr. Dickson, Mr. Irving, Mr. Windeyer, Mr. Close, Mr. Flett, and the Mover.
39. **DR. LANG** to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.
40. **MR. SCOTT** to move,—  
 1. That a Select Committee be appointed to inquire into and report,—  
 (1.) Upon the expediency of establishing a Local Harbour and Pilot Board,  
 (2.) Upon the operation of the present system of Tonnage Dues; and,  
 (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.

2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
41. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, full copies of all papers connected with the summary dismissal of Lieutenant Seaver, R.N., from the offices of Deputy Harbour Master and Shipping Master, at Newcastle, including the report of the Board of Inquiry into the conduct of the Harbour Master's Department at that Port; of all recommendations of the Colonial Treasurer; and of all Minutes of the Executive Council with respect to the matter contained in the above Report.

ORDERS OF THE DAY:—

1. Supply; Resumption of the Committee.
2. New Trial Motion Bill; to be considered in Committee.
3. Tolls Amendment Act Repeal Bill; second reading.
4. Judges' Pensions Bill; to be considered in Committee.
5. Ways and Means; Resumption of the Committee.
6. Revenue and Audit Bill; second reading.
7. Police Regulation Act Amendment Bill; third reading.
8. Report of Standing Orders Committee on Proceedings in Committee of Supply; to be considered in Committee.
9. Capital Punishments Abolition Bill; second reading.
10. Lien on Wool Act Continuation Bill; second reading.
11. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the 'Duration of Legislative Assemblies Limitation Bill be now read a second time.'"
12. Crown Lands Sales Bill; second reading.
13. Crown Lands Occupation Bill; second reading.
14. Leased Lands Occupation Bill; second reading.
15. Public Worship Bill; second reading.
16. Law of Primogeniture Abolition Bill; second reading.

Question:—

1. MR. PLUNKETT to ask THE SECRETARY FOR PUBLIC WORKS,—Whether it is the intention of the Government to place on the Supplementary Estimates a Sum of money for the enclosure and completion of Wynyard Square, according to the original expectations held out by the Government of the day, and which induced several of the present proprietors of land in that locality to buy the land there situated, and to erect houses thereon?

DANIEL COOPER,  
*Speaker.*

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No. 33.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

TUESDAY, 29 NOVEMBER, 1859.

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

Members Sworn :—

(1.) William Forster, Esquire, having taken the Oath, and subscribed the Roll, took his Seat as Member for the Electoral District of Queanbeyan.

(2.) Saul Samuel, Esquire, having taken the Oath, and subscribed the Roll, took his Seat as Member for the Electoral District of Orange.

(3.) John Black, Esquire, having taken the Oath, and subscribed the Roll, took his Seat as a Member for the Electoral District of East Sydney.

(4.) James Hoskins, Esquire, having taken the Oath, and subscribed the Roll, took his Seat as Member for the Electoral District of Gold Fields North.

2. Seats Vacated during the Adjournment :—The Speaker reported that during the recess occasioned by the adjournment, the following Members had resigned their Seats in this House, viz. :—John Douglas, Esquire, one of the Members for Darling Downs; Charles Cowper, Esquire, one of the Members for East Sydney; and Lyttelton Holyoake Bayley, Esquire, Member for Mudgee. That he had issued Writs for the Election of Members to serve in the room of Charles Cowper, Esquire, and Lyttelton Holyoake Bayley, Esquire. That the Writ for the Election of a Member to serve for East Sydney, in room of Charles Cowper, Esquire, was returned to him on the 12th of this month, with the Returning Officer's certificate thereon, that Charles Cowper, Esquire, had been again elected to serve as one of the Members for East Sydney, but that on the 17th of this month, he had received Mr. Cowper's resignation of the Seat to which he was so re-elected. That he had abstained from issuing a Writ for the Election of a Member in room of Mr. Cowper, on occasion of this last resignation, because the time within which Mr. Cowper's re-election may be questioned has not expired. And that he had also abstained from issuing a Writ for the Election of a Member to serve for Darling Downs, in room of John Douglas, Esquire, because before the Election could be completed the District would have become a portion of the New Colony of Queensland, and therefore incapable of returning a Member to this House.

The Speaker then said that it was now for the House to deal with the vacancies occasioned by Mr. Cowper's resignation of his Seat for East Sydney, and Mr. Douglas' resignation of his Seat for Darling Downs.

3. Ministerial Explanation :—Mr. Forster addressed the House in explanation of the formation of his Ministry.
4. Separation of Moreton Bay :—The following Message from His Excellency the Governor General received and read :—

W. DENISON,  
*Governor General.*

*Message No. 8.*

The Governor General lays before the Legislative Assembly a copy of the Letters Patent erecting Moreton Bay into a Colony, under the name of Queensland, and for appointing Sir George Ferguson Bowen, K.C.M.G., to be Captain-General and Governor-in-Chief of the same. Also, a copy of the Order in Council empowering the Governor of Queensland to make Laws and provide for the Administration of Justice in the said Colony.

Under the provisions of this latter document certain duties have been imposed upon the Governor of New South Wales.

In accordance with the directions contained in a Despatch from the Secretary of State, a copy of which was laid before the Legislative Assembly on 11th October last, no separation is to take place until these Letters Patent have been published both in New South Wales and Queensland. The Governor General has, therefore, given directions for the publication of these Letters Patent, and for notifying the fact that from

from and after the 1st December now next ensuing the Legislative authority of Governor and Legislature of New South Wales, and the power of such Governor over the Territories comprised in the said Colony of Queensland, and over the Revenue thereof, will cease.

*Government House,*

29 November, 1859.

Ordered to be printed, together with the accompanying documents.

5. Member Sworn :—Samuel Deane Gordon, Esquire, having taken the Oath, and subscribed the Roll, took his Seat as Member for the Electoral District of Illawarra.
6. Ministerial Explanation :—The explanation interrupted by the Proceedings recorded in Entries 4 and 5,—resumed.

Mr. Dalley moved, That this House do now adjourn until Thursday next, at Three o'clock.

Debate ensued.

Question put.

The House divided.

Ayes, 8

Mr. Parkes,	• Mr. Hoskins,	} Tellers.
Mr. Campbell,	Mr. Rotton,	
Mr. Oakes,	Mr. Windeyer,	
Mr. Hodgson,	Mr. Dalley.	

Noes, 41.

Mr. Walsh,	Mr. Hamilton,	} Tellers.
Mr. Forster,	Mr. Plunkett,	
Mr. Black,	Mr. Laycock,	
Mr. Lyons,	Mr. Scott,	
Mr. Cummings,	Mr. Hart,	
Mr. Clements,	Mr. Sayers,	
Mr. Robertson,	• Mr. Hoskins,	
Mr. Gordon,	Mr. Hurley,	
Mr. Dickson,	Mr. Elliott,	
Mr. McArthur,	Mr. Macleay,	
Mr. Wild,	Mr. Close,	
Mr. Broughton,	Mr. Cape,	
Mr. Samuel,	Mr. Hay,	
Mr. Nott,	Mr. Piddington,	
Mr. Roberts,	Mr. Flood,	
Mr. Asher,	Mr. Jones,	
Mr. Atkinson,	Rev. Dr. Lang,	
Mr. Weekes,	Mr. Lord,	
Mr. Garrett,	Mr. Cooper,	
Mr. Richardson,	Mr. Mort.	
Mr. Wilson,		

• So in Tellers' Lists.

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

**" LEGISLATIVE ASSEMBLY.**

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

" Pursuant to the power in that behalf vested in me, as Speaker of the Legislative Assembly of New South Wales, by the Electoral Act of 1858, I do hereby appoint  
" William Timothy Cape, Esquire,  
" being a Member of the said Assembly, to be a Member of the Committee of Elections and Qualifications in the said Act referred to, during the present Session of the  
" Assembly aforesaid.

" Given under my Hand, at the Legislative Assembly Chamber,  
" Macquarie-street, Sydney, this twenty-ninth day of November,  
" in the year of our Lord one thousand eight hundred and  
" fifty-nine.

**" DANIEL COOPER,**

*" Speaker."*

8. Separation of Moreton Bay :—Mr. Walsh presented a Petition from certain Landed Proprietors and others, resident in the Town of Gladstone and District of Port Curtis, praying that the Residency of Port Curtis be kept separate and distinct from that of Moreton Bay.  
Petition received.
9. Export Duty on Gold :—Mr. Wilson presented a Petition from certain Gold Miners, Traders, and others resident on the Araluen Gold Fields, praying the abolition of the Export Duty on Gold.  
Petition received.
10. Papers :—
  1. Mr. Forster laid upon the Table the undermentioned Papers :—
    - (1.) Return to the Order, in reference to the Salaries attached to the late and present offices of Civil and Criminal Crown Solicitors, made by this House, on motion of Mr. Hodgson, on the 27th September last.
    - (2.) Further Return to the Order, in reference to School Statistics, made by this House, on motion of Mr. Plunkett, on the 24th November, 1858.
    - (3.) Return to the Order, in reference to the Properties of Educational Boards, made by this House, on motion of Mr. Nott, on the 29th September last.
    - (4.) Despatches and other Papers respecting the Defences of the Colony.
    - (5.) Records of Births, Marriages, and Deaths, transferred to the Office of the Registrar General.
    - (6.) Return, in part, to Address, in reference to Confines waiting Pardon, or under Sentence, adopted, on motion of Mr. Jenkins, on the 18th October last.

- (7.) Return to the Address, in reference to the late Government Surgeon at Gladstone, adopted, on motion of Mr. Walsh, on the 27th September last.
- (8.) Further Return to the Address, in reference to charges by Mr. Bligh against Michael Finucane, adopted, on motion of Mr. Forster, on the 7th April last.
- (9.) The Second Report on the Observatory at Sydney.
- (10.) Return, in part, to the Order, in reference to State paid Clergymen, made by this House, on motion of Mr. Jones, on the 23rd September last.
- (11.) Third Report on the Internal Communications of New South Wales.  
Ordered to be printed.
- (12.) Return to the Address, in reference to the Chief Constable of Wagga Wagga, versus Alfred Bradbury, adopted, on motion of Mr. Murray, on the 28th September last.
- (13.) Return to the Address, in reference to Loans to the Corporation of the City of Sydney, adopted, on motion of Mr. Jenkins, on the 23rd September last.
2. Mr. Samuel laid upon the Table the undermentioned Papers:—
- (14.) Further Reports respecting the Steam Postal Service *via* Panama.
- (15.) General Abstract of Bank Assets and Liabilities, for the Quarter ended 30th September, 1859.  
Ordered to be printed.
11. Export Duty on Gold:—Mr. Wilson presented a Petition from certain Gold Miners, Storekeepers, and others, resident on the Southern Gold Fields, at Adelong, praying the abolition of the Export Duty on Gold.  
Petition received.
12. Proceedings of the Synod of Australia in 1842:—Mr. Parkes presented a Petition from the Rev. John McGibbon, one of the Secretaries of the Presbyterian College Committee, praying that the House will refuse to accede to the motion of the Rev. Dr. Lang for a Select Committee of inquiry into the Proceedings of the Synod of Australia in 1842.  
Petition received.
13. Storage of Gunpowder:—Mr. Parkes presented a Petition from certain Merchants and Traders, complaining of the heavy tax upon Merchant's Powder, and praying relief.  
Petition received.
14. Laws for prevention of Nuisances:—Mr. Parkes presented a Petition from certain Tanners and Curriers of the City of Sydney, representing that by a certain Act passed in the year 1849, they may not lawfully carry on their business within the limits of the City of Sydney, from the 1st day of January next ensuing, and praying relief.  
Petition received.
15. Wharfage Rates:—Mr. Parkes presented a Petition from certain Merchants, Traders, and others of the City of Sydney, complaining of the present Wharfage Rates as too high, and praying relief.  
Petition received.
16. Mr. Edwin Tyler:—Mr. Parkes presented a Petition from Edwin Tyler, complaining that the Curator of Intestate Estates has afforded him no satisfactory account of the distribution of the Estate of his deceased uncle, Jesse Tyler, and praying justice.  
Petition received.
17. Proceedings of the Synod of Australia in 1842:—
- (1.) Mr. Hamilton presented a Petition from the Revd. Dr. James Fullerton, praying that the House will not consent to the appointment of a Select Committee to inquire into the Proceedings of the Synod of Australia in 1842.  
Petition received.
- (2.) Mr. Hamilton presented a Petition from certain Presbyterians of Singleton, with a similar prayer.  
Petition received.
18. Export Duty on Gold:—Mr. Wilson presented a Petition from certain Gold Miners, Storekeepers, and others, residing on the Southern Gold Fields, at Adelong, praying the discontinuance of the Export Duty on Gold.  
Petition received.
19. Mount Keira Tramroad Bill:—Mr. Hay presented a Petition from Charles Throsby Smith, of Wollongong, landowner, praying that this Bill may not be allowed to pass, and to be heard, by himself or his attorney, at the Bar of the House.  
Petition received, and referred to the Select Committee on the Bill.
20. Separation of Moreton Bay:—Mr. Elliott presented a Petition from certain Inhabitants of the Town of Maryborough, praying that either Wide Bay, or Port Curtis, may be fixed upon as the Capital of Queensland.  
Petition received.
21. Proceedings of Synod of Australia, in 1842:—Mr. Wilson presented a Petition from certain Presbyterians, against the appointment of a Select Committee of inquiry into the Proceedings of the Synod of Australia, in 1842.  
Petition received.
- Postponement:—Mr. Robertson postponed the motion standing in his name first on the Notice Paper for to-day, until Friday next.
- Motion Lapsed:—The motion standing in the name of Mr. Cowper second on the Notice Paper for to-day lapsed, in consequence of Mr. Cowper's resignation since he gave notice thereof.

24. Postponements :—  
 (1.) Mr. Parkes postponed the motion standing in his name third on the Notice Paper for to-day, until Tuesday next.  
 (2.) Mr. Plunkett postponed the motion standing in the name of Mr. Murray fourth on the Notice Paper for to-day, until Tuesday next.  
 (3.) The Rev. Dr. Lang postponed the motion standing in his name fifth on the Notice Paper for to-day, until Friday next.
25. Motion Dropped :—Mr. Gray not moving the motion standing in his name sixth on the Notice Paper for to-day, it dropped.
26. Postponements :—  
 (1.) Mr. Parkes postponed the motion standing in his name seventh on the Notice Paper for to-day, until Friday next.  
 (2.) Mr. Cooper postponed the motion standing in his name eighth on the Notice Paper for to-day, until this day week.
27. Motions Lapsed :—  
 (1.) The motion standing in the name of Mr. Forster ninth on the Notice Paper for to-day, lapsed in consequence of his resignation since he gave notice thereof.  
 (2.) The motion standing in the name of Mr. Black tenth on the Notice Paper for to-day, lapsed in consequence of his resignation since he gave notice thereof.
28. Parish and Main Roads of the Colony :—Mr. Rotton moved, pursuant to notice, That the Petition relative to the Broad Wheels Act and to the collection of Tolls, presented by him on the 19th ultimo, be printed.  
 Question put and passed.  
 Ordered to be printed.
29. Impounding Laws :—Mr. Clements moved, pursuant to notice, That the Petition relative to the Impounding Laws, presented by him on the 18th ultimo, be printed.  
 Question put and passed.  
 Ordered to be printed.
30. Motions Dropped :—  
 (1.) Mr. Byrnes not moving the motion standing in his name thirteenth on the Notice Paper for to-day, it dropped.  
 (2.) Mr. Close not moving the motion standing in his name fourteenth on the Notice Paper for to-day, it dropped.  
 (3.) Mr. Flood not moving the motion standing in his name fifteenth on the Notice Paper for to-day, it dropped.
31. Postponements :—  
 (1.) Mr. Parkes *amended*, and postponed the motion standing in his name sixteenth on the Notice Paper for to-day until Friday next.  
 (2.) Mr. Wilson postponed the motion standing in his name seventeenth on the Notice Paper for to-day, until next Friday week.  
 (3.) Mr. Close postponed the motion standing in the name of Mr. Dark eighteenth on the Notice Paper for to-day, until Friday next.  
 (4.) The Rev. Dr. Lang postponed the motion standing in his name nineteenth on the Notice Paper for to-day, until this day week.
32. Motion Lapsed :—The motion standing in the name of Mr. Douglas twentieth on the Notice Paper for to-day lapsed in consequence of his resignation since he gave notice thereof.
33. Motions Dropped :—Mr. Cummings not moving the motions standing in his name twenty-first and twenty-second on the Notice Paper for to-day, they dropped.
34. Motion Lapsed :—The motion standing in the name of Mr. Forster twenty-third on the Notice Paper for to-day, lapsed in consequence of his resignation since he gave notice thereof.
35. Moreton Bay Immigration and Land Company's Act Amendment Bill :—The Revd. Dr. Lang moved, pursuant to notice,—  
 (1.) That a Select Committee be appointed to take into consideration and to report upon the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.  
 (2.) That such Committee consist of the following Members, viz. :—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover.  
 Debate ensued.  
 Debate, on motion of Mr. Hodgson, adjourned until this day fortnight.
36. Postponement :—Mr. Wild postponed the motion standing in his name twenty-fifth on the Notice Paper for to-day, until Tuesday next.
37. Motion Dropped :—Mr. Atkinson not moving the motion standing in his name twenty-sixth on the Notice Paper for to-day, it dropped.
38. Motion Lapsed :—The motion standing in the name of Mr. Black twenty-seventh on the Notice Paper for to-day, lapsed in consequence of his resignation since he gave notice thereof.
39. Postponement :—The Revd. Dr. Lang postponed the motion standing in his name twenty-eighth on the Notice Paper for to-day, until Friday next.
40. Motion Dropped :—Mr. McArthur not moving the motion standing in his name twenty-ninth on the Notice Paper for to-day, it dropped.
41. James Butler :—The Revd. Dr. Lang moved, pursuant to notice, That the Petition of James Butler, presented by him on the 18th ultimo, be printed.  
 Question put and passed.  
 Ordered to be printed.

42. Postponements :—  
 (1.) Mr. Plunkett postponed the motions standing in the name of Mr. Murray thirty-first and thirty-second on the Notice Paper for to-day, until Tuesday next.  
 (2.) Mr. Oakes postponed the motion standing in the name of Mr. Byrnes thirty-third on the Notice Paper for to-day, until Friday next.
43. Public Education Bill :—Mr. Plunkett moved, pursuant to notice, That the Petition of the Roman Catholic Archbishop, Clergy, and Laity of Sydney, relative to the Public Education Bill, presented by him on the 19th ultimo, be printed.  
 Question put and passed.  
 Ordered to be printed.
44. Motions Dropped :—  
 (1.) Mr. Russell not moving the motion standing in his name thirty-fifth on the Notice Paper for to-day, it dropped.  
 (2.) Mr. McArthur not moving the motion standing in his name thirty-sixth on the Notice Paper for to-day, it dropped.
45. Public Education Bill :—Mr. Campbell moved, pursuant to notice, That the Petition from Balmain, relative to the Public Education Bill, presented by him on the 19th ultimo, be printed.  
 Question put and passed.  
 Ordered to be printed.
46. Motion Dropped :—Mr. Dark not moving the motion standing in his name thirty-eighth on the Notice Paper for to-day, it dropped.
47. Postponements :—  
 (1.) The Revd. Dr. Lang postponed the motion standing in his name thirty-ninth on the Notice Paper for to-day, until this day fortnight.  
 (2.) Mr. Scott postponed the motion standing in his name fortieth on the Notice Paper for to-day, until Friday, December 9.  
 (3.) Mr. Hodgson postponed the motion standing in his name forty-first on the Notice Paper for to-day, until Friday, December 9.  
 (4.) The resumption of the Committee of Supply postponed, on motion of Mr. Samuel, until to-morrow.  
 (5.) The consideration in Committee of the New Trial Motion Bill postponed, on motion of Mr. Forster, until to-morrow.  
 (6.) The second reading of the Tolls Amendment Act Repeal Bill postponed, on motion of Mr. Robertson, until Tuesday next.  
 (7.) The consideration in Committee of the Judges Pensions Bill postponed, on motion of Mr. Plunkett, until Friday next.  
 (8.) The resumption of the Committee of Ways and Means postponed, on motion of Mr. Samuel, until Thursday, December 8.  
 (9.) The second reading of the Revenue and Audit Bill postponed, on motion of Mr. Hay, until this day fortnight.  
 (10.) The third reading of the Police Regulation Act Amendment Bill postponed, on motion of Mr. Forster, until to-morrow.  
 (11.) The consideration in Committee of the Report of the Standing Orders Committee on Proceedings in Committee of Supply postponed, on motion of Mr. Forster, until Thursday next.  
 (12.) The second reading of the Capital Punishments Abolition Bill postponed, on motion of Mr. Plunkett, until this day week.  
 (13.) The second reading of the Lien on Wool Act Continuation Bill postponed, on motion of Mr. Robertson, until Friday next.  
 (14.) The resumption of the Adjourned Debate on the Rev. Dr. Lang's motion "That the Duration of Legislative Assemblies Limitation Bill be now read a second time" postponed, on motion of Mr. Parkes, until Friday next.  
 (15.) The second reading of the Crown Lands Sales Bill postponed, on motion of Mr. Robertson, until Friday next.  
 (16.) The second reading of the Crown Lands Occupation Bill postponed, on motion of Mr. Robertson, until Friday next.  
 (17.) The second reading of the Leased Lands Occupation Bill postponed, on motion of Mr. Robertson, until Friday next.
48. Order Dropped :—No Member moving or postponing the second reading of the Public Worship Bill, it dropped.
49. Postponement :—The second reading of the Law of Primogeniture Abolition Bill postponed, on motion of Mr. Plunkett, until Tuesday next.
50. Adjournment :—Mr. Forster moved, That this House do now adjourn until to-morrow at Three o'clock.  
 Debate ensued,—  
 And notice being taken that there was not a Quorum present, the House was counted, and there being only Eighteen Members present, exclusive of the Speaker, the Speaker adjourned the House at twenty-five minutes after Eleven o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, NOVEMBER 30.

## GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. FORSTER to move for leave to introduce a Bill to reduce the Salaries of certain Public Officers.
2. MR. FORSTER to move for leave to introduce a Bill to regulate the Occupation of Crown Lands in certain cases, and to prevent the renewal of Leases thereof.
3. MR. FORSTER to move for leave to introduce a Bill to establish an Elective Legislative Council.

## ORDERS OF THE DAY:—

1. Supply; Resumption of the Committee.
2. New Trial Motion Bill; to be considered in Committee.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. WALSH to move,—  
(1.) That the Proclamation of Sir William Denison, as the Governor of New South Wales, announcing the Separation of Queensland from this Territory, in the opinion of this House, ought not to take place until the reply has been received from the Imperial Government to the Resolution passed by this House upon the 5th October last.  
(2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor General.
2. MR. BLACK to move, That the Petition of Thomas Walker, as Chairman of a Public Meeting held in Sydney, relative to State Aid to Religion, presented by him on the 19th ultimo, be printed.
3. MR. BLACK to move, That the Petition of Charles Skerrett, presented by him on the 11th ultimo, be printed.

## ORDER OF THE DAY:—

1. Police Regulation Act Amendment Bill; third reading.

## Questions:—

1. MR. ROBERTSON to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to provide by legislation during this Session—  
(1.) To regulate the importation of Chinese?  
(2.) To provide for preventing the naturalization of Chinese in this Colony, or otherwise for preventing their voting in elections for Members of Parliament?
2. MR. WEEKES to ask THE COLONIAL SECRETARY,—  
(1.) Whether the Ministry had by any formal act under their hands, as Responsible Ministers, concurred in the final measures for separating the Northern Districts from this Colony?  
(2.) Whether it be true, as reported, that they hesitated for some time to concur in any such act?  
(3.) And if so, whether they will state the consideration that induced them eventually to yield their concurrence to that measure?
3. MR. WALSH to ask THE COLONIAL SECRETARY,—Whether the present Government is tacitly, or otherwise, sanctioning the separation of Queensland from New South Wales, by Sir William Denison?
4. MR. COOPER to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to place on the Estimates of 1860, the sum of £3,450, or any sum to aid in supporting the Gold Fields' Chaplains?
5. MR. ROTTON to ask THE COLONIAL SECRETARY,—If it is true that the Government has offered to reinstate Mr. Plunkett as Chairman of the Board of National Education; if so, has he any objection to state the conditions on which that offer was made, and to lay upon the Table of this House any Correspondence which may have taken place between the Government and Mr. Plunkett, or any other persons with reference to the matter? Has Mr. Plunkett accepted the office?

THURSDAY, DECEMBER 1.

## OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. PARKES to move, That the Petition of the Revd. John McGibbon; the Petition of Edwin Tyler; the Petition of Merchants and Traders of Sydney, respecting the Circular Quay; the Petition of Merchants, respecting the arrangements for Storing Gunpowder; and the Petition of certain Manufacturers, respecting Tanneries, presented by him, November 29th, be printed.

## ORDER OF THE DAY:—

1. Report of Standing Orders Committee on Proceedings in Committee of Supply; to be considered in Committee.

## Questions:—

1. MR. CLEMENTS to ask THE SECRETARY FOR LANDS,—  
(1.) The reason why the Electric Telegraph to Bathurst is not completed?  
(2.) If the Honorable Secretary is aware that the Wire between Blackheath and Pulpit Hill, has been broken for some weeks?  
(3.) As there is no doubt of the Wire having been intentionally broken, if any reward has been offered for the detection of the offender or offenders?

2. MR. MACLEAY *to ask* THE COLONIAL SECRETARY,—Whether any Report has yet been received from Captain Martindale relative to the proposed Bridge over the Murrumbidgee, at Gundagai; if so, what is the nature of that Report, and what steps have been taken in the matter by the Government?
3. MR. HOSKINS *to ask* THE COLONIAL TREASURER,—Whether it is the intention of the Government to retain or abolish the Gold Duty?
4. MR. HOSKINS *to ask* THE SECRETARY FOR LANDS,—Whether the Government have received any tenders for the erection of a Bridge at Bondmoeer—whether any tender has been accepted—and when the contractor is about to commence the erection of the Bridge?

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FRIDAY, DECEMBER 2.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WILSON to move, That the three Petitions relative to the Export Duty on Gold, presented by him on the 29th ultimo, be printed.
2. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
3. DR. LANG to move, That a Select Committee be appointed to inquire into certain proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, with power to send for persons and papers, and to report; the Committee to consist of ten Members, and to be appointed by ballot.
4. MR. PARKES to move, That this House will on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Estimates for 1860; the sum of £15,000, for the construction of a Bridge from Pyrmont to Glebe Island, in connection with the Public Abattoirs erected at that place.
5. MR. PARKES to move, That in accordance with the recommendations of the Select Committee appointed to inquire into the matter of the Petition of James Hoskins, Esquire, claiming to have been elected for the Electoral District of the Gold Fields North, and complaining of unusual delay in the return of the Writ for that District, this House resolves as follows :—That, to obviate the recurrence of similar inconvenience in future, it is advisable that the Speaker shall, within a limited period of the meeting of Parliament after a general election, report to the House any case where the Writ has not been regularly returned, in order that steps may be taken without delay to afford redress.
6. MR. DARR to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Pant at Clarence Town.
7. DR. LANG to move, That the Report of the Select Committee of the late Legislative Assembly on the Presbyterian College, be referred to the Select Committee on the Presbyterian College, for their consideration.
8. MR. BYRNES to move for leave to bring in a Bill to protect from pollution the Fresh Water collected for the supply of the Inhabitants of the Town and Suburbs of Parramatta.

ORDERS OF THE DAY :—

1. Judges' Pensions Bill; to be considered in Committee.
2. Lien on Wool Act Continuation Bill; second reading.
3. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill be now read a second time."
4. Crown Lands Sales Bill; second reading.
5. Crown Lands Occupation Bill; second reading.
6. Leased Lands Occupation Bill; second reading.

Questions :—

1. MR. HAWKINS *to ask* THE SECRETARY FOR LANDS,—When the Report of the Survey of the Valley of the Grose, or of any other Line of Railway to Bathurst, will be laid upon the Table of this House?
2. MR. PLUNKETT *to ask* THE COLONIAL SECRETARY,—Whether it is the intention of the Government, to place on the Supplementary Estimates, a sum of money for the enclosure and completion of Wynyard Square, according to the original expectations held out by the Government of the day—and which induced several of the present proprietors of land in that locality to buy the land there situated, and to erect houses thereon?

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TUESDAY, DECEMBER 6.

Contingent Notice of Motion :—

1. MR. HODGSON to move, *as an amendment on Mr. Parkes' motion*,—That there be inserted between Resolutions 4 and 5, the Resolution following :—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its

*affectionate*

*affectionate loyalty* to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. LYONS to move, That this House will on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Supplementary Estimates, a sum not exceeding Six hundred and thirty pounds, for the purpose of providing a Police Magistrate for the Central Police Court, Sydney.
2. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
3. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all the Magistrates who have been placed in the Commission of the Peace during the present Administration, specifying the recommendations received by the Government in favor of, and the dates of their appointments.
4. MR. COOPER to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Additional Estimates for 1860, the sum of £100, in aid of the Literary Institution at Braidwood.
5. MR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd September last, be now taken into consideration.
6. MR. WILD to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the ensuing year, a sum not exceeding £300 for the re-erection of the Lock-up at Bargo.
7. MR. ATKINSON to move,—
  - (1.) That a Select Committee be appointed to inquire into the management, construction, and condition, of the Southern and Northern Railways of the Colony.
  - (2.) That such Committee consist of Mr. Flood, Mr. Hay, Mr. Jones, Mr. Samuel, Mr. Scott, Mr. Irving, Mr. Rotton, Mr. Parkes, Mr. Jamison, and the Mover.
8. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
9. MR. MURRAY to move, That there be laid upon the Table of this House, a nominal Return showing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.

ORDERS OF THE DAY :—

1. Tolls Amendment Act Repeal Bill; second reading.
2. Capital Punishments Abolition Bill; second reading.
3. Law of Primogeniture Abolition Bill; second reading.

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THURSDAY, DECEMBER 8.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Ways and Means; Resumption of Committee.
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FRIDAY,



FRIDAY, DECEMBER 9.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WILSON to move,—
  - (1.) That the export tax on gold, is a direct tax on the most important branch of Colonial industry, and being levied on a particular class, is repugnant to justice and the principles of equal taxation, and ought therefore to be repealed.
  - (2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.
2. MR. SCOTT to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board,
    - (2.) Upon the operation of the present system of Tonnage Dues ; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
3. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, full copies of all papers connected with the summary dismissal of Lieutenant Seaver, R.N., from the offices of Deputy Harbour Master and Shipping Master, at Newcastle, including the report of the Board of Inquiry into the conduct of the Harbour Master's Department at that Port ; of all recommendations of the Colonial Treasurer ; and of all Minutes of the Executive Council with respect to the matter contained in the above Report.

TUESDAY, DECEMBER 13.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.

ORDERS OF THE DAY :—

1. Resumption of the adjourned Debate on Dr. Lang's motion,—
 

" (1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.

" (2.) That such Committee consist of the following Members, viz. :—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
2. Revenue and Audit Bill ; second reading.

DANIEL COOPER,  
*Speaker.*



No. 34.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

WEDNESDAY, 30 NOVEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Proceedings of Synod of Australia in 1842:—Mr. Jenkins presented a Petition from certain Elders and Seatholders of St. Andrew's Scots' Church, Sydney, praying the House to refuse a Committee of Inquiry into the Proceedings of the Synod of Australia in 1842.  
Petition received.
2. State Aid to Religion:—Mr. Jenkins presented a Petition from the Reverend John Dougall, Moderator of the Synod of Australia, in connection with the Established Church of Scotland, praying that the House will refuse assent to any proposition to deprive the Church of Scotland Gold Fields' Chaplains of the stipends to which they were led to believe the faith of the country was pledged.  
Petition received.
3. Paper:—Mr. Samuel laid upon the Table the Return to the Order, in reference to the Colonial Agency in London, made by this House, on motion of Mr. Forster, on the 18th October last.  
Ordered to be printed.
4. Certain Public Officers' Salaries Reduction Bill:—Mr. Forster moved, pursuant to notice, for leave to introduce a Bill to reduce the Salaries of certain Public Officers.  
Debate ensued.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
5. Paper:—Mr. Black laid upon the Table the Return to the Order, in reference to Revenue from Land Sales since establishment of Responsible Government, made by this House, on motion of Mr. Clements, on 23rd September last.  
Ordered to be printed.
6. Crown Lands Bill:—Mr. Forster moved, pursuant to notice, for leave to introduce a Bill to regulate the Occupation of Crown Lands in certain cases, and to prevent the renewal of Leases thereof,—  
And a Debate arising on the point whether this motion was in order in view of the circumstance, that the second reading of a Bill substantially the same in its objects, stands an Order of the Day for Friday next,—  
And the Speaker ruling that the motion was inconsistent with the practice of Parliament, which does not admit of two Bills, for substantially the same objects, being before the House at one and the same time,—  
And the Debate continuing,—  
Mr. Plunkett moved, That it be referred to the Standing Orders Committee to search for precedents, and report to the House what they shall find to be the practice of Parliament in like cases.  
Question put and passed:  
Whereupon Mr. Forster gave fresh notice of the same motion for Wednesday next.
7. Ministerial Explanation:—Mr. Hawkins claiming to have voted with the *Noes* in the Division which took place yesterday, on the Question for adjournment, on the motion of Mr. Dalley, and it appearing that Mr. Hoskins' name appears on the *Tellers* lists for both sides in that Division, the Speaker directed the name of Mr. Hawkins to be substituted for that of Mr. Hoskins in the list of the *Tellers* for the *Noes*.
8. Postponement:—Mr. Forster postponed the motion standing in his name third on the Notice Paper of Government Business for to-day, until to-morrow.
9. Supply:—On motion of Mr. Samuel the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supplementary Supply to be granted to Her Majesty for the service of the year 1859.  
The Chairman reported progress, and obtained leave to sit again to-morrow.

10. Postponements :—
  - (1.) The consideration in Committee of the New Trial Motion Bill postponed, on motion of Mr. Forster, until to-morrow.
  - (2.) Mr. Walsh postponed the motion standing in his name first on the Notice Paper of Other Business for to-day, until to-morrow.
11. State Aid to Religion :—Mr. Black moved, pursuant to notice, That the Petition of Thomas Walker, as Chairman of a Public Meeting held in Sydney, relative to State Aid to Religion, presented by him on the 19th ultimo, be printed.  
Question put and passed.  
Ordered to be printed.
12. Charles Skerrett :—Mr. Black moved, pursuant to notice, That the Petition of Charles Skerrett, presented by him on the 11th ultimo, be printed.  
Question put and passed.  
Ordered to be printed.
13. Postponement :—The third reading of the Police Regulation Act Amendment Bill postponed, on motion of Mr. Forster, until to-morrow.  
The House adjourned at twenty-two minutes after Eleven o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, DECEMBER 1.

### GOVERNMENT BUSINESS.—NOTICE OF MOTION :—

1. MR. FORSTER to move for leave to introduce a Bill to establish an Elective Legislative Council.

### ORDERS OF THE DAY :—

1. Supply ; Resumption of the Committee.
2. New Trial Motion Bill ; to be considered in Committee.

### OTHER BUSINESS.—NOTICES OF MOTION :—

1. MR. PARKES to move, That the Petition of the Revd. John McGibbon ; the Petition of Edwin Tyler ; the Petition of Merchants and Traders of Sydney, respecting the Circular Quay ; the Petition of Merchants, respecting the arrangements for Storing Gunpowder ; and the Petition of certain Manufacturers, respecting Tanneries, presented by him, November 29th, be printed.
2. MR. MCARTHUR to move, That the Petition against the prayer of certain Petitioners, praying for the appointment of a Select Committee to take into consideration certain proceedings of the Synod of Australia in 1842, presented by him on the 18th of October last, be printed.
3. MR. WALSH to move,—
  - (1.) That the Proclamation of Sir William Denison, as the Governor of New South Wales, announcing the Separation of Queensland from this Territory, in the opinion of this House, ought not to take place until the reply has been received from the Imperial Government to the Resolution passed by this House upon the 5th October last.
  - (2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor General.

### ORDERS OF THE DAY :—

1. Report of Standing Orders Committee on Proceedings in Committee of Supply ; to be considered in Committee.
2. Police Regulation Act Amendment Bill ; third reading.

### Questions :—

1. MR. CLEMENTS to ask THE SECRETARY FOR LANDS,—
  - (1.) The reason why the Electric Telegraph to Bathurst is not completed ?
  - (2.) If the Honorable Secretary is aware that the Wire between Blackheath and Pulpit Hill, has been broken for some weeks ?
  - (3.) As there is no doubt of the Wire having been intentionally broken, if any reward has been offered for the detection of the offender or offenders ?
2. MR. MACLEAY to ask THE COLONIAL SECRETARY,—Whether any Report has yet been received from Captain Martindale relative to the proposed Bridge over the Murrumbidgee, at Gundagai ; if so, what is the nature of that Report, and what steps have been taken in the matter by the Government ?
3. MR. HOSKINS to ask THE COLONIAL TREASURER,—Whether it is the intention of the Government to retain or abolish the Gold Duty ?
4. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether the Government have received any tenders for the erection of a Bridge at Bendemeer—whether any tender has been accepted—and when the contractor is about to commence the erection of the Bridge ?
5. MR. DAILEY to ask THE COLONIAL SECRETARY,—
  - (1.) Whether the present Attorney General accepted Office under any, and if so, what conditions ?
  - (2.) Whether the Attorney and Solicitor General are specially relieved from the responsibility of supporting the Ministerial Policy ?
6. MR. EGAN to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government during the present Session to introduce a Bill for the Sale and Occupation of the Waste Lands of the Colony ?

7. MR. WEEKES *to ask* THE COLONIAL SECRETARY,—Whether it is the intention of the Government to place on the Supplementary Estimates for 1859 or 1860 the sum of £50,000, for repairs of Roads and Bridges, and erection of new Bridges, on the Western or Bathurst Line of Road?
8. MR. WINDEYER *to ask* THE COLONIAL SECRETARY,—Whether it is the intention of the Government to introduce during the present Session any Bill for the amendment of the Cattle Driving Act?

FRIDAY, DECEMBER 2.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. WILSON to move, That the three Petitions relative to the Export Duty on Gold, presented by him on the 29th ultimo, be printed.
2. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
3. DR. LANG to move, That a Select Committee be appointed to inquire into certain proceedings of the Synod of Australia towards the Revd Dr. Lang, in the year 1842, with power to send for persons and papers, and to report; the Committee to consist of ten Members, and to be appointed by ballot.
4. MR. PARKES to move, That this House will on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Estimates for 1860, the sum of £15,000, for the construction of a Bridge from Pyrmont to Glebe Island, in connection with the Public Abattoirs erected at that place.
5. MR. PARKES to move, That in accordance with the recommendations of the Select Committee appointed to inquire into the matter of the Petition of James Hoskins, Esquire, claiming to have been elected for the Electoral District of the Gold Fields North, and complaining of unusual delay in the return of the Writ for that District, this House resolves as follows:—That, to obviate the recurrence of similar inconvenience in future, it is advisable that the Speaker shall, within a limited period of the meeting of Parliament after a general election, report to the House any case where the Writ has not been regularly returned, in order that steps may be taken without delay to afford redress.
6. MR. DARR to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.
7. DR. LANG to move, That the Report of the Select Committee of the late Legislative Assembly on the Presbyterian College, be referred to the Select Committee on the Presbyterian College, for their consideration.
8. MR. BYRNES to move for leave to bring in a Bill to protect from pollution the Fresh Water collected for the supply of the Inhabitants of the Town and Suburbs of Parramatta.
9. MR. JENKINS to move, That the Petition of certain Elders and Scatholders of St. Andrew's Scots' Church, Sydney, relative to the proceedings of the Synod of Australia in 1842, presented by him on the 30th ultimo, be printed.
10. MR. JENKINS to move, That the Petition of the Revd. John Dougall, relative to State Aid to certain Chaplains of the Church of Scotland, at present officiating in the Western and Southern Gold Fields, presented by him on the 30th ultimo, be printed.
11. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Supplementary Estimates for 1860, the following sums:—
  - £7,000 for the construction of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst.
  - £300 for the construction of a Bridge across the Bellabulla Creek, on the main line of road from Bathurst to Nanamai.
  - £300 for the construction of a Bridge across Ugowra Creek, at or near the junction of said creek with the Lachlan River, on main road to Balranald.
  - £200 for the construction of a Bridge across the Carrawobbidy Creek, being on the main road from Nanamai to Balranald.
  - £300 for the construction of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala Gold Fields.

ORDERS OF THE DAY:—

1. Judges' Pensions Bill; to be considered in Committee.
2. Lien on Wool Act Continuation Bill; second reading.
3. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the Duration of Legislative Assemblies Limitation Bill be now read a second time."
4. Crown Lands Sales Bill; second reading.
5. Crown Lands Occupation Bill; second reading.
6. Leased Lands Occupation Bill; second reading.

Questions:—

1. MR. HAWKINS *to ask* THE SECRETARY FOR LANDS.—When the Report of the Survey of the Valley of the Grose, or of any other Line of Railway to Bathurst, will be laid upon the Table of this House?

2. MR. PLUNKETT *to ask* THE COLONIAL SECRETARY,—Whether it is the intention of the Government, to place on the Supplementary Estimates, a sum of money for the enclosure and completion of Wynyard Square, according to the original expectations held out by the Government of the day—and which induced several of the present proprietors of land in that locality to buy the land there situated, and to erect houses thereon?
3. MR. ASHER *to ask* THE COLONIAL SECRETARY,—Whether the Government are aware of the extraordinary condition of the Gaol at Albury, having, as it has, but one cell, twelve feet by fourteen, for the reception of male prisoners; and whether it is true that in this cell from eight to fourteen persons were confined for a considerable time without light or bedding of any kind; also, whether the Government intend to take immediate steps for the safe and proper custody of persons committed to gaol at Albury; and whether there is any truth in an article published in the *Sydney Morning Herald*, of the 19th November, headed "Atrocious condition of the Albury Gaol"?
4. MR. ASHER *to ask* THE COLONIAL SECRETARY,—Whether, in consequence of the great amount of Escort and other duty performed by the Police, in the Districts of the Hume, Deniliquin and Balranald, and the high price of provisions, clothing, &c., in those parts, it is the intention of the Government to allow the Police there either rations or some difference of pay to that of the Police in other parts of the Country, where there are no Escort duties, and where the price of provisions, &c., is considerably lower?
5. MR. HOSKINS *to ask* THE SECRETARY FOR LANDS,—When the Government will be prepared to place on the Table of this House the Returns moved for by the Honorable Member for Bathurst (Mr. Clements), with respect to the number of acres of Crown Lands alienated since the inauguration of Responsible Government?
6. MR. HOSKINS *to ask* THE SECRETARY FOR LANDS,—When the Government will be prepared to place on the Table of this House, the Returns moved for by the Honorable Member for East Sydney (Mr. Parkes), with respect to the number of acres of Crown Lands held under a squatting license by Members of this House?

TUESDAY, DECEMBER 6.

*Contingent Notice of Motion :—*

1. MR. HODGSON *to move, as an amendment on Mr. Parkes' motion*,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its *affectionate loyalty* to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. LYONS *to move*, That this House will on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Supplementary Estimates, a sum not exceeding Six hundred and thirty pounds, for the purpose of providing a Police Magistrate for the Central Police Court, Sydney.
2. MR. PARKES *to move*, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
3. MR. MURRAY *to move*, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all the Magistrates who have been placed in the Commission of the Peace during the present Administration, specifying the recommendations received by the Government in favor of, and the dates of their appointments.
4. MR. COOPER *to move*, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Additional Estimates for 1860, the sum of £100, in aid of the Literary Institution at Braidwood.
5. MR. LANG *to move*, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd September last, be now taken into consideration.

6. MR. WILD to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the ensuing year, a sum not exceeding £300 for the re-erection of the Lock-up at Bargo.
7. MR. ATKINSON to move,—
  - (1.) That a Select Committee be appointed to inquire into the management, construction, and condition, of the Southern and Northern Railways of the Colony.
  - (2.) That such Committee consist of Mr. Flood, Mr. Hay, Mr. Jones, Mr. Samuel, Mr. Scott, Mr. Irving, Mr. Rotton, Mr. Parkes, Mr. Jamison, and the Mover.
8. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
9. MR. MURRAY to move, That there be laid upon the Table of this House, a nominal Return shewing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.

ORDERS OF THE DAY:—

1. Tolls Amendment Act Repeal Bill; second reading.
  2. Capital Punishments Abolition Bill; second reading.
  3. Law of Primogeniture Abolition Bill; second reading.
- Question:—
1. MR. HART to ask THE COLONIAL SECRETARY,—Under what circumstances, and by whom, was Daniel Kennedy, a hired servant of Mr. Darby, of Bundarrab, in the District of Armidale, placed in the Commission of the Peace?

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WEDNESDAY, DECEMBER 7.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. FORSTER to move for leave to introduce a Bill to regulate the Occupation of Crown Lands in certain cases, and to prevent the renewal of Leases thereof.

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THURSDAY, DECEMBER 8.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Ways and Means; Resumption of Committee.

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FRIDAY, DECEMBER 9.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. WILSON to move,—
  - (1.) That the export tax on gold, is a direct tax on the most important branch of Colonial industry, and being levied on a particular class, is repugnant to justice and the principles of equal taxation, and ought therefore to be repealed.
  - (2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.
2. MR. SCOTT to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board,
    - (2.) Upon the operation of the present system of Tonnage Dues; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
3. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, full copies of all papers connected with the summary dismissal of Lieutenant Seaver, R.N., from the offices of Deputy Harbour Master and Shipping Master, at Newcastle, including the report of the Board of Inquiry into the conduct of the Harbour Master's Department at that Port; of all recommendations of the Colonial Treasurer; and of all Minutes of the Executive Council with respect to the matter contained in the above Report.

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TUESDAY, DECEMBER 13.

OTHER BUSINESS—NOTICE OF MOTION:—

1. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.

ORDERS OF THE DAY:—

1. Resumption of the adjourned Debate on Dr. Lang's motion,—
  - (1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
  - (2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover.
2. Revenue and Audit Bill; second reading.

DANIEL COOPER,  
Speaker.





No. 35.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

THURSDAY, 1 DECEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Thistles:—Mr. Egan presented a Petition from certain Inhabitants and Freeholders of Eden, Panbula, and Bega, praying the enactment of a Measure to arrest the spread of Thistles.  
Petition received.
2. Court of Quarter Sessions at Dubbo:—Mr. Lord presented a Petition from certain Inhabitants of the Town and District of Dubbo, praying the establishment of a Court of Quarter Sessions there.  
Petition received.
3. Paper:—Mr. Black laid upon the Table the Return to the Order, in reference to Contract for Telegraphic Line from Parramatta to Bathurst, made by this House, on motion of Mr. Rotton, on the 6th October last.  
Ordered to be printed.
4. Withdrawal of Estimates for 1860:—The following Message from His Excellency the Governor General received and read:—  
W. DENISON,  
*Governor General.*

*Message No. 9.*

A change having taken place in the Administration since the transmission of the Estimates of Expenditure for the year 1860, and the further Supplementary Estimate of Expenditure for the present year, which accompanied the Governor General's Message No. 2, of 28th September last, His Excellency requests that those for 1860 (except in so far as the Committee of Supply may have voted any sums therein submitted) may be returned to him with a view to the substitution of other Estimates for that year, which have been prepared under the advice of the present Administration.

*Government House,  
Sydney, 1 December, 1859.*

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

5. Mr. Frederick Westmacott:—Mr. Hodgson presented a Petition from certain Inhabitants of the Police Districts of Condamine, Dalby, and Drayton, representing that Mr. Frederick Westmacott had been superseded as Clerk of Petty Sessions at Condamine at a very advanced age, and under circumstances which may disentitle him to more than the usual allowance for short service, and praying the House to take the case of Mr. Westmacott into favorable consideration.  
Petition received.
6. Attendance of Member of Legislative Council:—Mr. Parkes moved, without previous notice, That the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee to inquire into the Social Condition of the Working Classes of this Metropolis, and that Committee being desirous to examine the Honorable E. Wise, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.

*Legislative Assembly Chamber,  
Sydney, 1 December, 1859.*

Speaker.

Question put and passed.

7. Proceedings of the Synod of Australia in 1842:—The Rev. Dr. Lang presented a Petition from certain Presbyterians and other friends of Religious Liberty in Sydney and its vicinity, praying the appointment of a Committee of inquiry into the proceedings of the Synod of Australia in 1842 towards the Rev. Dr. Lang.  
Petition received.
8. Paper:—Mr. Forster laid upon the Table the Return, in part, to the Order, in reference to Police District Statistics, made by this House, on motion of Mr. Macleay, on the 14th October last.  
Ordered to be printed.
9. Certain Public Officers Salaries Reduction Bill:—Mr. Forster having presented this Bill, Bill intituled "*A Bill to reduce the Salaries of certain Public Officers,*" read a first time; ordered to be printed, and read a second time on Wednesday next.
10. Paper:—Mr. Forster laid upon the Table a correspondence in reference to an offer by the present Government to restore Mr. Plunkett to a seat at the Board of National Education.  
Ordered to be printed.
11. Elective Legislative Council Bill:—Mr. Forster, before making the motion standing in his name, asked the Speaker's opinion whether, in originating in this House a Bill for the establishment of an Elective Legislative Council, he would be infringing upon the Privileges of the Other House,—  
And the Speaker giving it as his opinion, that there would be no interference with the Privileges of the Other House in originating in this House a Bill of that character,—  
Mr. Forster moved, pursuant to notice, for leave to introduce a Bill to establish an Elective Legislative Council.  
Debate ensued.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
12. Attendance of Member of Legislative Council:—The Speaker reported, that during the Debate of the Question last before the House, the following Message was received from the Legislative Council,—  
MR. SPEAKER,  
In answer to the Message from the Legislative Assembly, dated this day, requesting leave for the Honorable E. Wise, Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly to inquire into the Social Condition of the Working Classes of the Metropolis, the Council acquaints the Assembly, that leave has been granted to its said Member to attend and be examined by the said Committee, if he think fit.

W. W. BURTON,  
*President.*

*Legislative Council Chamber,  
Sydney, 1 December, 1850.*

13. Supply:—On motion of Mr. Samuel the Speaker left the Chair, and the House resolved itself into a Committee of the whole further to consider the Supplementary Supply to be granted to Her Majesty for the service of the year 1850.  
The Chairman obtained leave to sit again on Wednesday next, and reported the following Resolutions,—

*Further Supplementary Estimate for 1850.*

I.—SCHEDULES.

(3.) Resolved, that there be granted to Her Majesty, as a supplementary charge for the year 1850, a sum not exceeding £1,884 14s. 10d., to meet necessary additional expenditure under Schedule (B) to Schedule (1) of the Act of the Imperial Parliament, 18 and 19 Vict., cap. 54, being for Pensions, according to the Scale and Rates fixed by the Imperial Superannuation Act, 4 & 5 Gul. IV., Cap. 24, that is to say,—£450 8s. 6d. to J. G. N. Gibbes, late Collector of Customs, from 10 May, 1859, at £710 8s. 4d. per annum; £182 11s. 1d. to F. Garling, late Landing Surveyor, Customs, from 1 May, 1859, at £273 16s. 8d. per annum; £61 13s. 9d. to Jno. Bramwell, late Landing Waiter, Customs, from 1 May, 1859, at £92 10s. 8d. per annum; £127 1s. 8d. to David Nash, late Warehouse-Keeper, Customs, from 1 May, 1859, at £190 12s. 6d. per annum; £41 10s. to Arthur W. Rolleston, late Landing Waiter, Customs, from 26 Aug., 1859, at £118 15s. per annum; £376 13s. 3d. to John Thompson, late Deputy Surveyor-General, from 1 April, at £502 4s. 4d. per annum; £50 11s. to William W. Billyard, late Civil Crown Solicitor, from 1 June, at £86 13s. 4d. per annum; £126 7s. 9d. to John Moore Dillon, late Criminal Crown Solicitor, from 1 June, at £216 13s. 4d. per annum; £276 2s. 10d. to W. C. Grovillo, late Clerk, Principal Secretary's Office, from 1 April, at £368 3s. 10d. per annum; £77 0s. 1d. to T. H. B. Venour, late Shipping Master, Sydney, from 1 April, at £102 13s. 6d. per annum; £54 10s. 3d. to Benjamin Shaw, late Assistant Harbour Master, from 1 June, at £93 9s. per annum; £38 3s. 10d. to Charles Ormsby, late Superintendent of Penal Establishment, Cockatoo Island, from 1 August, at £91 13s. 4d. per annum; and £16 0s. 10d. to Charles Watson, late Pilot, Moreton Bay, from 22 September, at £58 6s. 8d. per annum.

II.—EXECUTIVE AND LEGISLATIVE.

(4.) Resolved, that there be granted to Her Majesty a sum not exceeding £20, to defray the supplementary charge of His Excellency the Governor General's Establishment, for the year 1850.

(5.)

(5.) Resolved, that there be granted to Her Majesty a sum not exceeding £247 10s., to defray the supplementary charge of the Legislative Council Establishment, for the year 1859.

(6.) Resolved, that there be granted to Her Majesty a sum not exceeding £28, to defray the supplementary charge of the Legislative Assembly Establishment, for the year 1859.

(7.) Resolved, that there be granted to Her Majesty a sum not exceeding £50, to defray the supplementary charge of the Joint-Establishment of the Legislative Council and Assembly, for the year 1859.

### III.—PRINCIPAL SECRETARY.

(8.) Resolved, that there be granted to Her Majesty a sum not exceeding £15, to defray the supplementary charge of the Sydney Gaol Establishment, for the year 1859.

(9.) Resolved, that there be granted to Her Majesty, as a supplementary charge for the year 1859, a sum not exceeding £287 16s. 9d., for the Parramatta Gaol Establishment, being £257 10s. 9d. to meet deficiency in the cost of Stores supplied through the Colonial Storekeeper's Department, for the year 1858; and £30 to provide Books for the use of the Prisoners.

(10.) Resolved, that there be granted to Her Majesty a sum not exceeding £59 16s., to defray the supplementary charge of the Brisbane Gaol Establishment, for the year 1859.

(11.) Resolved, that there be granted to Her Majesty, as a supplementary charge for the year 1859, a sum not exceeding £200, to defray the expense of Gaols, Country Districts, being for Gaolers for twenty places, at £25 each.

(12.) Resolved, that there be granted to Her Majesty a sum not exceeding £20, to defray the supplementary charge of the Penal Establishment at Cockatoo Island, for the year 1859.

(13.) Resolved, that there be granted to Her Majesty, as a supplementary charge for the year 1859, a sum not exceeding £1,891 8s. 9d., for the Printing, Postage Stamps, Lithographing, and Bookbinding Establishment, being £900 to meet deficiency in Vote for Wages for 1859; £100 to meet deficiency in Vote for Postage for 1859; £110 for the purchase of three Patent Numbering Machines, and an Extra set of Wheels; £300 for the purchase of an additional Printing Machine; £150 for the purchase of a Binder's Hydraulic Press; and £331 8s. 9d. for Paper for Printing for Public Service—to meet deficiency in Vote for 1858.

(14.) Resolved, that there be granted to Her Majesty, as a supplementary charge for the year 1859, a sum not exceeding £1,289 13s. 10d., for the Military Establishment, being £25 13s. Lodging Allowance to Deputy Assistant Commissary General, difference between 6s. 8d. per diem voted, and 8s. 2d. per diem proposed, from 24 January, 1859; £21 10s. Colonial Allowance to Assistant Commissary General, difference between 7s. per diem voted, and 8s. per diem proposed, from 28 October, 1858; £28 13s. 4d. Colonial Allowance to Deputy Assistant Commissary General, difference between 5s. 8d. per diem voted, and 7s. per diem proposed, from 28 October, 1858; £18 5s. Colonial Allowance to Surgeon Major of 12th Regiment, difference between 7s. per diem voted and 8s. per diem proposed, from 1 January; £450 Colonial Allowance to three additional Captains, in consequence of an augmentation of the 1st Battalion of the 12th Regiment; £20 12s. 6d. Colonial Allowance to a Staff Serjeant, difference between 1s. per diem voted, and 2s. 6d. per diem proposed, from 1 April; £400 for Rent of Commissariat Office; £300 for Naval and Military Postage; and £25 Good Conduct Pay to the Governor General's Orderlies, from 1 January.

(15.) Resolved, that there be granted to Her Majesty a sum not exceeding £3,008 13s. 11d., to defray the supplementary charge of Charitable Allowances, for the year 1859, being a further sum of £300 for support of Paupers in Colonial Hospitals; a further sum of £1,427 2s. 8d., in support of the Establishment of the Benevolent Society, Sydney; a further sum of £1,026 11s. 3d., in aid of the Sydney Infirmary and Dispensary, an equal amount having been raised by private subscription; and a further sum of £250 in aid of the Benevolent Society, Parramatta, on same condition.

(16.) Resolved, that there be granted to Her Majesty a sum not exceeding £500 to defray the supplementary charge of Grants in aid of Public Institutions, for the year 1859, being £400 in aid of the erection of the Waverley School of Arts, on condition of an equal amount being raised by private subscription; and £100 in aid of the Maitland School of Arts, on same condition, until a Building be erected.

(17.) Resolved, that there be granted to Her Majesty, a sum not exceeding £226, to defray the supplementary charge of the Aborigines, for the year 1859.

### IV.—ADMINISTRATION OF JUSTICE.

(18.) Resolved, that there be granted to Her Majesty a sum not exceeding £2,325, to defray the supplementary charge of the Moreton Bay Court Establishment, for the year 1859.

(19.) Resolved, that there be granted to Her Majesty a sum not exceeding £250, to defray the supplementary charge of the establishment of Coroners, for the year 1859.

## V.—TREASURER AND SECRETARY FOR FINANCE AND TRADE.

- (20.) Resolved, that there be granted to Her Majesty a sum not exceeding £24, to defray the supplementary charge of the Customs Establishment, for the year 1859.
- (21.) Resolved, that there be granted to Her Majesty a sum not exceeding £12,391, to defray the supplementary charge for Stationery and Stores for the year 1859.
- (22.) Resolved, that there be granted to Her Majesty a sum not exceeding £233 Gs. 8d., to defray the supplementary charge of the Gunpowder Magazine Establishment, for the year 1859, being £225, Rent of brig "Lady Mary," occupied as a Temporary Floating Magazine, from 1st March; and £8 Gs. 8d., Compensation for Gunpowder damaged on board the Floating Magazine.
- (23.) Resolved, that there be granted to Her Majesty a sum not exceeding £30, to defray the supplementary charge of the Steam Navigation Board at Brisbane, for the year 1859.
- (24.) Resolved, that there be granted to Her Majesty, as a supplementary charge for the year 1859, a sum not exceeding £191 Gs. 8d., to defray the charge of Boatmen at Port Curtis.
- (25.) Resolved, that there be granted to Her Majesty, as a supplementary charge for the year 1859, a sum not exceeding £500, to defray the expense of the Steam Dredge, "Hercules," being to provide buckets for the Dredge.
- (26.) Resolved, that there be granted to Her Majesty, as a supplementary charge for the year 1859, a sum not exceeding £240, to defray the expense of the Schooner "Satellite," being for a crew of four, at £60 per annum each.
- (27.) Resolved, that there be granted to Her Majesty a sum not exceeding £1,610, to defray the supplementary charge of Miscellaneous Services for the year 1859, being £10, Refund of the balance of purchase money and survey fee of certain land at Brungle Creek, Murrumbidgee; £1,000, to meet charges on the payment of Debenture Dividends in London; £500 to meet the expense of the transmission of Telegraphic Messages; £40, for the purchase of two Barometers for the use of the Public; and £60, for the purchase of a Tide Gauge.

## VI.—SECRETARY FOR LANDS AND PUBLIC WORKS.

- (28.) Resolved, that there be granted to Her Majesty a sum not exceeding £225 12s. 6d., to defray the supplementary charge of the Gold Fields Establishment, for the year 1859, being £150 for the salary of a Chinese Interpreter; and £75 12s. 6d. for the salary of an additional Trooper for Port Curtis.
- (29.) Resolved, that there be granted to Her Majesty, a sum not exceeding £12,368 3s. 5d., to defray the supplementary charge of the Department of Internal Communication, for the year 1859, being £1,690 17s. 4d. for the *Railway Branch*; £10,331 12s. 8d. for the *Road Branch* (inclusive of £328 rent of tolls at Parramatta Toll-bar, for 1858, to be expended on the road); and £345 13s. 5d. for the *Electric Telegraph Branch*, (inclusive of £155 13s. 5d. salaries and contingencies, to defray expenses incurred in 1858, paid in 1859.)
- (30.) Resolved, that there be granted to Her Majesty a sum not exceeding £11,326 7s. 4d., to defray the supplementary charge of Public Works and Buildings, for the year 1859; being £450 for the erection of a Watch House at Tumut; a further sum of £50 for the completion of a Watch House at Cowra; £250 for repairs and alterations to Police Magistrate's Residence, Port Macquarie; £400 for repairs and alterations to Residence of Superintendent, at Cockatoo Island; £3,000 for alterations and repairs to Legislative Assembly Chamber; £1,200 for additions to the Government Printing Office; £50 for repairs to Lock-up, Tambarumba Creek; £1,000 for Improvements, Hyde Park, to be expended under the Superintendence of the Committee of Management; £50 for painting Breakfast and Norman's Creek Bridges; £56 10s. 7d. for laying on Water and completing fittings, Australian Museum; a further sum of £59 1s. 9d. Light House, Cape Moreton; £427 for lighting the Government Lamps in the streets of Sydney; £390 for the survey of the Harbors of Bellambi and Wollongong; £168 15s. for re-building the Boundary Wall at Dawes' Point; £800 for the erection of a Monument in memory of the late Dr. Leichhardt; a further sum of £100 for the employment of Prisoners in the Streets of Brisbane; and £3,465 for repairs to Tank Stream, from Bridge-street to Circular Quay.
- (31.) Resolved, that there be granted to Her Majesty a sum not exceeding £17,697 13s. 4d., to defray the supplementary charge of Miscellaneous Services, for the year 1859; being £15,000 for the purchase of the Alpacas introduced into the Colony by Mr. Charles Ledger; £666 13s. 4d. for the management of the Alpacas, at the rate of £1,000 per annum, from 1st May;—£30 Compensation to Mr. John Green, for land for Road between Wodonga Place and River Murray, at Albury; £1,751 to meet a portion of the Debt due by the Commissioners of the Maitland Road Trust to the Bank of New South Wales, on account of that Trust; and £250 for the purchase of Land at Watson's Bay, for a site for additional Buildings for Pilots.

## TO BE PROVIDED BY LOAN.

- (32.) Resolved, that there be granted to Her Majesty a sum not exceeding £11,707, to defray the further supplementary charge for Public Works, for the year 1859, being £2,100 Construction of Coal Wharf, Newcastle; £800 Steam Crane; £1,882 Glebe Island Pontoons; £2,425 Harbor Defences; and £4,500 Additions to Works at Port Macquarie.

Mr. Samuel then moved, That this House do now adopt these Resolutions.  
Question put and passed.

14. **Postponement:**—The consideration in Committee of the New Trial Motion Bill postponed, on motion of Mr. Forster, until Wednesday next.
15. **Printing Petitions:**—Mr. Parkes moved pursuant to notice, That the Petition of the Revd. John McGibbon; the Petition of Edwin Tyler; the Petition of Merchants and Traders of Sydney, respecting the Circular Quay; the Petition of Merchants, respecting the arrangements for Storing Gunpowder; and the Petition of certain Manufacturers, respecting Tanneries, presented by him, November 29th, be printed. Debate of the Question adjourned, on motion of Mr. Samuel, until Tuesday next.
16. **Proceedings of the Synod of Australia in 1842:**—Mr. McArthur moved, pursuant to notice, That the Petition against the prayer of certain Petitioners, praying for the appointment of a Select Committee to take into consideration certain proceedings of the Synod of Australia in 1842, presented by him on the 18th of October last, be printed.  
Question put and passed.  
Ordered to be printed.
17. **Motion Dropped:**—Mr. Walsh not moving the motion standing in his name third on the Notice Paper of Other Business for to-day, it dropped.
18. **Report of Standing Orders Committee on Proceedings in Committee of Supply:**—Mr. Forster moving that the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole for consideration of this Report,—  
And, before the motion was seconded, notice being taken that there was not a quorum present, the House was counted, and there being only twelve members present, exclusive of the Speaker, the Speaker adjourned the House at half-past Seven o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, DECEMBER 2.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. **MR. WILSON** to move, That the three Petitions relative to the Export Duty on Gold, presented by him on the 29th ultimo, be printed.
2. **MR. ROBERTSON** to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
3. **DR. LANG** to move, That a Select Committee be appointed to inquire into certain proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, with power to send for persons and papers, and to report; the Committee to consist of ten Members, and to be appointed by ballot.
4. **MR. PARKES** to move, That this House will on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Estimates for 1860, the sum of £15,000, for the construction of a Bridge from Pyrmont to Glebe Island, in connection with the Public Abattoirs erected at that place.
5. **MR. PARKES** to move, That in accordance with the recommendations of the Select Committee appointed to inquire into the matter of the Petition of James Hoskins, Esquire, claiming to have been elected for the Electoral District of the Gold Fields North, and complaining of unusual delay in the return of the Writ for that District, this House resolves as follows:—That, to obviate the recurrence of similar inconvenience in future, it is advisable that the Speaker shall, within a limited period of the meeting of Parliament after a general election, report to the House any case where the Writ has not been regularly returned, in order that steps may be taken without delay to afford redress.
6. **MR. DARK** to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.
7. **DR. LANG** to move, That the Report of the Select Committee of the late Legislative Assembly on the Presbyterian College, be referred to the Select Committee on the Presbyterian College, for their consideration.
8. **MR. BYRNES** to move for leave to bring in a Bill to protect from pollution the Fresh Water collected for the supply of the Inhabitants of the Town and Suburbs of Parramatta.
9. **MR. JENKINS** to move, That the Petition of certain Elders and Seatholders of St. Andrew's Scots' Church, Sydney, relative to the proceedings of the Synod of Australia in 1842, presented by him on the 30th ultimo, be printed.
10. **MR. JENKINS** to move, That the Petition of the Revd. John Dougall, relative to State Aid to certain Chaplains of the Church of Scotland, at present officiating in the Western and Southern Gold Fields, presented by him on the 30th ultimo, be printed.

11. **MR. CUMMINGS** to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Supplementary Estimates for 1860, the following sums:—
  - £7,000 for the construction of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst.
  - £300 for the construction of a Bridge across the Bellubulla Creek, on the main line of road from Bathurst to Nanamai.
  - £300 for the construction of a Bridge across Ugowra Creek, at or near the junction of said creek with the Lachlan River, on main road to Balranald.
  - £200 for the construction of a Bridge across the Carrawobiddy Creek, being on the main road from Nanamai to Balranald.
  - £300 for the construction of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala Gold Fields.
12. **MR. OXLEY** to move for leave to introduce a Bill to encourage Education in New South Wales.
13. **MR. EGAN** to move, That the Petition from Eden, Panbula, and Bega, relative to the spread of Thistles, presented by him on the 1st instant, be printed.
14. **MR. ROBERTSON** to move, That the Seat of Charles Cowper, Esq., as Member for the Electoral District of East Sydney, hath become and is now vacant, by reason of the resignation thereof, by the said Charles Cowper, Esq.
15. **MR. WINDEYER** to move for leave to introduce a Bill to amend the Cattle Driving Act.

#### ORDERS OF THE DAY:—

1. Judges' Pensions Bill; to be considered in Committee.
2. Lien on Wool Act Continuation Bill; second reading.
3. Resumption of the Adjourned Debate on the Rev. Dr. Lang's motion, "That the "Duration of Legislative Assemblies Limitation Bill be now read a second time."
4. Crown Lands Sales Bill; second reading.
5. Crown Lands Occupation Bill; second reading.
6. Leased Lands Occupation Bill; second reading.
7. Report of Standing Orders Committee on Proceedings in Committee of Supply; to be considered in Committee.
8. Police Regulation Act Amendment Bill; third reading.

#### Questions:—

1. **MR. HAWKINS** to ask THE SECRETARY FOR LANDS,—When the Report of the Survey of the Valley of the Grose, or of any other Line of Railway to Bathurst, will be laid upon the Table of this House?
2. **MR. PLUNKETT** to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government, to place on the Supplementary Estimates, a sum of money for the enclosuro and completion of Wynyard Square, according to the original expectations held out by the Government of the day—and which induced several of the present proprietors of land in that locality to buy the land there situated, and to erect houses thereon?
3. **MR. ASHER** to ask THE COLONIAL SECRETARY,—Whether the Government are aware of the extraordinary condition of the Gaol at Albury, having, as it has, but one cell, twelve feet by fourteen, for the reception of male prisoners; and whether it is true that in this cell from eight to fourteen persons were confined for a considerable time without light or bedding of any kind; also, whether the Government intend to take immediate steps for the safe and proper custody of persons committed to gaol at Albury; and whether there is any truth in an article published in the *Sydney Morning Herald*, of the 19th November, headed "Atrocious condition of the Albury Gaol"?
4. **MR. ASHER** to ask THE COLONIAL SECRETARY,—Whether, in consequence of the great amount of Escort and other duty performed by the Police, in the Districts of the Hume, Deniliquin and Balranald, and the high price of provisions, clothing, &c., in those parts, it is the intention of the Government to allow the Police there either rations or some difference of pay to that of the Police in other parts of the Country, where there are no Escort duties, and where the price of provisions, &c., is considerably lower?
5. **MR. HOSKINS** to ask THE SECRETARY FOR LANDS,—When the Government will be prepared to place on the Table of this House the Returns moved for by the Honorable Member for Bathurst (Mr. Clements), with respect to the number of acres of Crown Lands alienated since the inauguration of Responsible Government?
6. **MR. HOSKINS** to ask THE SECRETARY FOR LANDS,—When the Government will be prepared to place on the Table of this House, the Returns moved for by the Honorable Member for East Sydney (Mr. Parkes), with respect to the number of acres of Crown Lands held under a squatting license by Members of this House?
7. **MR. ROTTON** to ask THE COLONIAL SECRETARY,—
  - (1.) When the Returns relative to the Bathurst Electric Telegraph Contract, ordered by this House on the 6th October, will be laid upon the Table?
  - (2.) If since that date any further inspection of the line has been made; and if so, will the Honorable Secretary state the substance of any reports made thereon?
  - (3.) Has the Contractor, been paid any portion of the Contract money; if so, how much?
8. **MR. HODGSON** to ask THE COLONIAL TREASURER,—Whether any steps have been taken by the Government for the erection of a Lighthouse at Port Stephens; and if so, when such work is likely to be commenced?

9. MR. ROTTON to ask THE COLONIAL SECRETARY,—When the Returns relative to the cost of collecting the Electoral Rolls and other matters relating to the expenses of Elections, ordered by this House on the 20th September last, will be laid upon the Table?

TUESDAY, DECEMBER 6.

*Contingent Notice of Motion :—*

1. MR. HODGSON to move, as an amendment on Mr. Parkes' motion,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. LYONS to move, That this House will on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Supplementary Estimates, a sum not exceeding Six hundred and thirty pounds, for the purpose of providing a Police Magistrate for the Central Police Court, Sydney.
2. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
- (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
- (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
- (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
- (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.
- (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
3. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all the Magistrates who have been placed in the Commission of the Peace during the present Administration, specifying the recommendations received by the Government in favor of, and the dates of their appointments.
4. MR. COOPER to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Additional Estimates for 1860, the sum of £100, in aid of the Literary Institution at Braidwood.
5. MR. LANG to move, That the Petition of the Honorable Alexander Berrý, Esq., ordered by this House to be printed on Friday, the 23rd September last, be now taken into consideration.
6. MR. WILD to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the ensuing year, a sum not exceeding £300 for the re-erection of the Lock-up at Bargo.
7. MR. ATKINSON to move,—
- (1.) That a Select Committee be appointed to inquire into the management, construction, and condition, of the Southern and Northern Railways of the Colony.
- (2.) That such Committee consist of Mr. Flood, Mr. Hay, Mr. Jones, Mr. Samuel, Mr. Scott, Mr. Irving, Mr. Rotton, Mr. Parkes, Mr. Jamison, and the Mover.
8. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
9. MR. MURRAY to move, That there be laid upon the Table of this House, a nominal Return showing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.

10. MR. LORD to move, That the Petition relative to the establishment of a Court of Quarter Sessions at Dubbo, presented by him on the 1st instant, be printed.
11. DR. LANG to move, That the Petition of certain Presbyterians of Sydney, relative to the Proceedings of the Synod of Australia in 1842, presented by him on the 1st instant, be printed.

ORDERS OF THE DAY:—

1. Tolls Amendment Act Repeal Bill; second reading.
2. Capital Punishments Abolition Bill; second reading.
3. Law of Primogeniture Abolition Bill; second reading.
4. Resumption of the Adjourned Debate on Mr. Parkes' Motion—"That the Petition of the Revd. John McGibbon; the Petition of Edwin Tyler; the Petition of Merchants and Traders of Sydney, respecting the Circular Quay; the Petition of Merchants, respecting the arrangements for Storing Gunpowder; and the Petition of certain Manufacturers, respecting Tanneries, presented by him, November 29th, be printed."

Questions:—

1. MR. HART to ask THE COLONIAL SECRETARY,—Under what circumstances, and by whom, was Daniel Kennedy, a hired servant of Mr. Darby, of Bundarrab, in the District of Armidale, placed in the Commission of the Peace?
2. MR. CUMMINGS to ask THE COLONIAL TREASURER,—What is the amount of the unexpended balance of moneys voted for the repairs of the Bathurst line of road, now in the hands of the Government?
3. MR. CAPE to ask THE COLONIAL SECRETARY,—Is the Colonial Government regularly supplied with copies of the Admiralty Charts of the Coasts and Harbours of New South Wales, and the neighbouring Colonies; if not so supplied, is it the intention of the Government to make the requisite application for them?

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WEDNESDAY, DECEMBER 7.

Contingent Notice of Motion:—

1. MR. SAMUEL (on the Order of the Day, for the consideration of the Governor General's Message, No. 9, requesting the return of the Estimates for 1860, which accompanied His Excellency's Message, No. 2, of 28th September last, being read) to move, That the request contained in His Excellency the Governor General's Message, No. 9, be complied with, and that an Address be accordingly presented to His Excellency, returning the Estimates which accompanied his Message, No. 2, of the 28th September last, with an intimation that the sums therein submitted for the Establishments of His Excellency the Governor General and the Executive Council have been already voted.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. FORSTER to move for leave to introduce a Bill to regulate the Occupation of Crown Lands in certain cases, and to prevent the renewal of Leases thereof.

ORDERS OF THE DAY:—

1. Consideration of Governor General's Message No. 9, requesting return of Estimates for 1860.
2. Certain Public Officers' Salaries Reduction Bill; second reading.
3. Supply; Resumption of the Committee.
4. New Trial Motion Bill; to be considered in Committee.

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THURSDAY, DECEMBER 8.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Ways and Means; Resumption of Committee.

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FRIDAY, DECEMBER 9.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. WILSON to move,—
  - (1.) That the export tax on gold, is a direct tax on the most important branch of Colonial industry, and being levied on a particular class, is repugnant to justice and the principles of equal taxation, and ought therefore to be repealed.
  - (2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.
2. MR. SCOTT to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board,
    - (2.) Upon the operation of the present system of Tonnage Dues; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.



3. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, full copies of all papers connected with the summary dismissal of Lieutenant Seaver, R.N., from the offices of Deputy Harbour Master and Shipping Master, at Newcastle, including the report of the Board of Inquiry into the conduct of the Harbour Master's Department at that Port; of all recommendations of the Colonial Treasurer; and of all Minutes of the Executive Council with respect to the matter contained in the above Report.
4. MR. CAPE to move,—
  - (1.) That it be an instruction to the Standing Orders Committee, to consider and report upon the expediency of adopting the following as a Sessional or Standing Order, for the better regulation of Debates in this House:—
  - (2.) That no Member speaking on a Motion, made by another Member, be allowed a longer period than twenty minutes.
  - (3.) That on the presentation of Petitions no Member be allowed to speak longer than ten minutes, and in rising to speak to order, or in explanation, not longer than five minutes.
5. MR. HODGSON to move, That the Petition from Darling Downs, relative to Mr. Frederick Westmacott, presented by him on the 1st instant, be printed.
6. MR. HODGSON to move, That the Petition from Mr. William Murphy, late Assistant Lighthouse Keeper, at Newcastle, presented by him on the 18th October last, be printed.
7. MR. CUMMINGS to move,—
  - (1.) That a Select Committee be appointed to inquire and report on the condition of the Bathurst line of Road, from the West Bank of the Nepean River, to the East Bank of the Macquarie River, with power to send for persons and papers.
  - (2.) That such Committee consist of—Mr. Hawkins, Mr. Clements, Mr. Egan, Mr. Gordon, Mr. Hoskins, Mr. Parkes, Mr. Wisdom, Mr. Lord, Mr. Rotton, and the Mover.

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TUESDAY, DECEMBER 13.

OTHER BUSINESS—NOTICE OF MOTION:—

1. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.
- ORDERS OF THE DAY:—
1. Resumption of the adjourned Debate on Dr. Lang's motion,—
    - "(1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
    - "(2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
  2. Revenue and Audit Bill; second reading.

DANIEL COOPER,  
*Speaker.*

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No. 36.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

FRIDAY, 2 DECEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Printing Petitions:—Mr. Wilson moved, pursuant to notice, That the three Petitions relative to the Export Duty on Gold, presented by him on the 29th ultimo, be printed.  
Question put and passed.  
Ordered to be printed.
2. Newcastle Wallsend Coal Company's Incorporation Bill:—Mr. Jones, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before the Select Committee for whose consideration and report this Bill was referred on the 20th September last:  
Ordered to be printed;—  
Whereupon, on motion of Mr. Jones, the second reading of this Bill ordered to stand an Order of the Day for Tuesday next.
3. Postponement:—Mr. Robertson postponed the motion standing in his name second on the Notice Paper for to-day, until this day week.
4. Proceedings of the Synod of Australia in 1842 towards Revd. Dr. Lang:—The Revd. Dr. Lang moved, pursuant to notice, That a Select Committee be appointed to inquire into certain proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, with power to send for persons and papers, and to report; the Committee to consist of ten Members, and to be appointed by ballot.  
Debate ensued.  
Motion by leave withdrawn.
5. Bridge from Pyrmont to Glebe Island:—Mr. Parkes moved, pursuant to notice, That this House will on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Estimates for 1860, the sum of £15,000, for the construction of a Bridge from Pyrmont to Glebe Island, in connection with the Public Abattoirs erected at that place.  
Debate ensued.  
Mr. Jones moved the Previous Question.  
Debate continued.  
Previous Question, by leave, withdrawn.  
Original Question, by leave, withdrawn.
6. Delay in receipt of Writs:—Mr. Parkes moved, pursuant to amended notice, That in accordance with the recommendations of the Select Committee appointed to inquire into the matter of the Petition of James Hoskins, Esquire, claiming to have been elected for the Electoral District of the Gold Fields North, and complaining of unusual delay in the return of the Writ for that District, this House resolves as follows:—That, to obviate the recurrence of similar inconvenience in future, it is advisable that the Speaker shall, within a limited period of the meeting of Parliament after a general election, report to the House any case where the Writ has not duly come to his hand, in order that steps may be taken without delay to afford redress.  
Question put and passed.
7. Postponement:—Mr. Close postponed the motion standing in the name of Mr. Dark, sixth on the Notice Paper for to-day, until this day week.
8. St. Andrew's College Bill:—The Revd. Dr. Lang moved, pursuant to amended notice, That the Report of the Select Committee of the late Legislative Assembly on the Presbyterian College, be referred to the Select Committee on the St. Andrew's College Bill, for their consideration.  
Debate ensued.  
Question put and passed.
9. Postponement:—Mr. Rotton postponed the motion standing in the name of Mr. Byrnes eighth on the Notice Paper for to-day, until Wednesday next.

10.

10. Proceedings of the Synod of Australia in 1842:—Mr. Jenkins moved, pursuant to notice, That the Petition of certain Elders and Seatholders of St. Andrew's Scot's Church, Sydney, relative to the proceedings of the Synod of Australia in 1842, presented by him on the 30th ultimo, be printed.  
Question put and passed.  
Ordered to be printed.
11. State Aid to Religion:—Mr. Jenkins moved, pursuant to notice, That the Petition of the Revd. John Dougall, relative to State Aid to certain Chaplains of the Church of Scotland, at present officiating in the Western and Southern Gold Fields, presented by him on the 30th ultimo, be printed.  
Question put and passed.  
Ordered to be printed.
12. Postponement:—Mr. Cummings postponed the motion standing in his name eleventh on the Notice Paper for to-day, until Thursday next.
13. Primary Education Encouragement Bill:—Mr. Oxley moved, pursuant to notice, for leave to introduce a Bill to encourage Education in New South Wales.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
14. Postponement:—Mr. Piddington postponed the motion standing in the name of Mr. Egan thirteenth on the Notice Paper for to-day, until Tuesday next.
15. Vacant Seat:—Mr. Robertson moved, pursuant to notice, That the Seat of Charles Cowper, Esq., as a Member for the Electoral District of East Sydney, hath become and is now vacant, by reason of the resignation thereof, by the said Charles Cowper, Esquire.  
Debate ensued.  
Mr. Piddington moved the Previous Question.  
Debate continued.  
Previous Question by leave withdrawn.  
Original Question by leave withdrawn.
16. Cattle Driving Act Amendment Bill:—Mr. Windeyer moved, pursuant to notice,—for leave to introduce a Bill to amend the Cattle Driving Act.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
17. Primary Education Encouragement Bill:—Mr. Oxley having presented this Bill, Bill, intituled, "*A Bill to encourage Primary Education in New South Wales*," read a first time; *Ordered* to be printed, and read a second time this day fortnight.
18. Cattle Driving Act Amendment Bill:—Mr. Windeyer having presented this Bill, Bill, intituled, "*A Bill to amend the Cattle Driving Act, 16 Victoria No 23*," read a first time; *ordered* to be printed, and read a second time on Friday next.
19. Judges' Pensions Bill:—On motion of Mr. Plunkett, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for consideration of this Bill.  
The Chairman having reported the Bill with Amendments, the House adopted the same, and ordered the Bill, as so reported, to be read a third time on Tuesday next.
20. Postponement:—The second reading of the Lien on Wool Act Continuation Bill postponed, on motion of Mr. Forster, until Tuesday next.
21. Duration of Legislative Assemblies Limitation Bill:—The adjourned Debate on the Rev. Dr. Lang's motion, "That this Bill be now read a second time,"—resumed.  
Mr. Piddington moved the Previous Question.  
Debate continued.  
And notice being taken that there was not a Quorum present, the House was counted, and there being only Eighteen Members present, exclusive of the Speaker, the Speaker adjourned the House at twenty-two minutes after Eleven o'clock, until Tuesday next, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, DECEMBER 6.

### Contingent Notice of Motion:—

1. MR. HODGSON to move, as an amendment on Mr. Parker's motion,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. LYONS to move, That this House will on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Supplementary Estimates, a sum not exceeding Six hundred and thirty pounds, for the purpose of providing a Police Magistrate for the Central Police Court, Sydney.

2. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows:—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
3. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all the Magistrates who have been placed in the Commission of the Peace during the present Administration, specifying the recommendations received by the Government in favor of, and the dates of their appointments.
4. MR. COOPER to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Additional Estimates for 1860, the sum of £100, in aid of the Literary Institution at Braidwood.
5. DR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd September last, be now taken into consideration.
6. MR. WILD to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the ensuing year, a sum not exceeding £300 for the re-erection of the Lock-up at Bargo.
7. MR. ATKINSON to move,—
  - (1.) That a Select Committee be appointed to inquire into the management, construction, and condition, of the Southern and Northern Railways of the Colony.
  - (2.) That such Committee consist of Mr. Flood, Mr. Hay, Mr. Jones, Mr. Samuel, Mr. Scott, Mr. Irving, Mr. Rotton, Mr. Parkes, Mr. Jamison, and the Mover.
8. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
9. MR. MURRAY to move, That there be laid upon the Table of this House, a nominal Return shewing the quantities of (so-called) Church and School Lands held by each lessee; and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.
10. MR. LORD to move, That the Petition relative to the establishment of a Court of Quarter Sessions at Dubbo, presented by him on the 1st instant, be printed.
11. DR. LANG to move, That the Petition of certain Presbyterians of Sydney, relative to the Proceedings of the Synod of Australia in 1842, presented by him on the 1st instant, be printed.
12. MR. COOPER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence and Papers relative to a disputed boundary between Molloy's grant, situate at Braidwood, now the property of Messrs. Hassall and Roberts, and the Araluen Diggings.
13. MR. PARKES to move,—
  1. That a Select Committee be appointed to inquire into and report upon the allegations contained in the several undermentioned Petitions:—
    - (1.) The Petition of Cornelius Delohery, presented to the Legislative Assembly, December 9th, 1856.
    - (2.) The Petition of James Pegg, presented to the Legislative Assembly, August 18th, 1858.
    - (3.) The Petition of Frederick Dunbar, presented to the Legislative Assembly, September 1st, 1859; together with the Papers referred to in such Petition.
    - (4.) The Petition of John Malley, presented to the Legislative Assembly, September 16th, 1859.
    - (5.) The Petition of Edwin Tyler, presented to the Legislative Assembly, November 29th, 1859.
  2. That such Committee consist of Mr. Flood, Mr. Rotton, Mr. Pemell, Dr. Lang, Mr. Macleay, Mr. Nott, Mr. Dickson, Mr. Laycock, Mr. Murray, and the Mover.
14. MR. PARKES to move for leave to introduce a Bill to repeal so much of the Act 13 Vic., No. 42, as relates to Tanners and Curriers.

15. MR. HAMILTON to move, That the Petitions presented by him on the 29th November last, from the Rev. Dr. James Fullerton, and from certain Presbyterians of Singleton, against the appointment of a Committee of Inquiry into certain proceedings of the Synod of Australia, in the year 1842, be printed.
16. MR. FORSTER to move, That the following Members be added to the Standing Orders Committee:—Mr. Forster, and Mr. Hodgson.
17. MR. FORSTER to move, That the following Members be added to the Library Committee:—Mr. Black, and Mr. Cape.
18. MR. WILD to move, That the following Members be added to the Committee on the case of Mr. C. F. Gorton, viz.:—Mr. Jenkins, Mr. Hurley, and Mr. Nott.
19. MR. BROUGHTON to move, That the following Members be added to the Committee upon the Sydney Municipal Council, viz.:—Messrs. Hawkins, Gordon, and Plunkett.
20. MR. EGAN to move, That the Petition from Eden, Panbula, and Bega, relative to the spread of Thistles, presented by him on the 1st instant, be printed.

ORDERS OF THE DAY:—

1. Tolls Amendment Act Repeal Bill; second reading.
2. Capital Punishments Abolition Bill; second reading.
3. Law of Primogeniture Abolition Bill; second reading.
4. Resumption of the Adjourned Debate on Mr. Parkes' Motion—"That the Petition of the Revd. John McGibbon; the Petition of Edwin Tyler; the Petition of Merchants and Traders of Sydney, respecting the Circular Quay; the Petition of Merchants, respecting the arrangements for Storing Gunpowder; and the Petition of certain Manufacturers, respecting Tanneries, presented by him, November 29th, be printed."
5. Newcastle Wallsend Coal Company's Incorporation Bill; second reading.
6. Judges' Pensions Bill; third reading.
7. Lien on Wool Act Continuation Bill; second reading.
8. Crown Lands Sales Bill; second reading.
9. Crown Lands Occupation Bill; second reading.
10. Leased Lands Occupation Bill; second reading.
11. Report of Standing Orders Committee on Proceedings in Committee of Supply; to be considered in Committee.
12. Police Regulation Act Amendment Bill; third reading.

Questions:—

1. MR. HART to ask THE COLONIAL SECRETARY,—Under what circumstances, and by whom, was Daniel Kennedy, a hired servant of Mr. Darby, of Bundarra, in the District of Armidale, placed in the Commission of the Peace?
2. MR. CUMMINGS to ask THE COLONIAL TREASURER,—What is the amount of the unexpended balance of moneys voted for the repairs of the Bathurst line of road, now in the hands of the Government?
3. MR. CAPE to ask THE COLONIAL SECRETARY,—Is the Colonial Government regularly supplied with copies of the Admiralty Charts of the Coasts and Harbours of New South Wales, and the neighbouring Colonies; if not so supplied, is it the intention of the Government to make the requisite application for them?
4. MR. PARKES to ask THE COLONIAL SECRETARY,—
  - (1.) Whether it is true that a female prisoner, now undergoing a long sentence in Darlinghurst Gaol, is the mother of a child born more than twelve months after her reception into that prison?
  - (2.) If such is the case, whether any report of the circumstance has been made to the Government up to the present date; and, previously reported or not, whether the Government will explain where the child is at present, its age, and any facts they may be able to obtain relating to its parentage; and, also, the offence for which the mother is undergoing sentence?
5. MR. ROTTON to ask THE MINISTER REPRESENTING THE SECRETARY FOR WORKS IN THIS HOUSE,—Whether the present Government intend to construct an Electric Telegraph to Mudgee, branching off from some convenient point of the present Western Line?
6. MR. ROTTON to ask THE MINISTER REPRESENTING THE SECRETARY FOR WORKS IN THIS HOUSE,—What are the intentions of the present Government with reference to the further extension of Railway Communication beyond the limits already authorised?
7. MR. PARKES to ask THE COLONIAL SECRETARY,—Whether the Government intend to take any new steps in the matter of opening Steam Communication *via* the Isthmus of Panama, consequent upon the return to the Colony of Mr. Merewether, and the unsatisfactory state of the whole question?

WEDNESDAY, DECEMBER 7.

Contingent Notice of Motion:—

1. MR. SAMUEL (on the Order of the Day, for the consideration of the Governor General's Message, No. 9, requesting the return of the Estimates for 1860, which accompanied His Excellency's Message, No. 2, of 28th September last, being read) to move, That the request contained in His Excellency the Governor General's Message, No. 9, be complied with, and that an Address be accordingly presented to His Excellency, returning the Estimates which accompanied his Message, No. 2, of the 28th September last, with an intimation that the sums therein submitted for the Establishments of His Excellency the Governor General and the Executive Council have been already voted.

GOVERNMENT

## GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. FORSTER to move for leave to introduce a Bill to regulate the Occupation of Crown Lands in certain cases, and to prevent the renewal of Leases thereof.

## ORDERS OF THE DAY :—

1. Consideration of Governor General's Message No. 9, requesting return of Estimates for 1860.
2. Certain Public Officers' Salaries Reduction Bill ; second reading.
3. Supply ; Resumption of the Committee.
4. New Trial Motion Bill ; to be considered in Committee.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HAY to move, That this House will, to-morrow, resolve itself into a Committee of the whole to consider of an Address to His Excellency the Governor General, praying that His Excellency will cause a sum of money to be placed on the Estimates for the Service of the year 1860, equal to one year's salary of the Chief Justice of the Colony to be granted to Sir Alfred Stephen, for his support during the term of that leave of absence which he has applied for, and, which under all the circumstances of the case as detailed in the papers now before it, this House thinks reasonable and just.
2. MR. BYRNES to move for leave to bring in a Bill to protect from pollution the Fresh Water collected for the supply of the Inhabitants of the Town and Suburbs of Parramatta.

## THURSDAY, DECEMBER 8.

## GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Ways and Means ; Resumption of Committee.

## OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Supplementary Estimates for 1860, the following sums :—
  - £7,000 for the construction of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst.
  - £300 for the construction of a Bridge across the Bellubulla Creek, on the main line of road from Bathurst to Nanamai.
  - £300 for the construction of a Bridge across Ugowra Creek, at or near the junction of said creek with the Lachlan River, on main road to Balranald.
  - £200 for the construction of a Bridge across the Carrawobbidy Creek, being on the main road from Nanamai to Balranald.
  - £300 for the construction of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala Gold Fields.

## FRIDAY, DECEMBER 9.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WILSON to move,—
  - (1.) That the export tax on gold, is a direct tax on the most important branch of Colonial industry, and being levied on a particular class, is repugnant to justice and the principles of equal taxation, and ought therefore to be repealed.
  - (2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.
2. MR. SCOTT to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board,
    - (2.) Upon the operation of the present system of Tonnage Dues ; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
3. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, full copies of all papers connected with the summary dismissal of Lieutenant Seaver, R.N., from the offices of Deputy Harbour Master and Shipping Master, at Newcastle, including the report of the Board of Inquiry into the conduct of the Harbour Master's Department at that Port ; of all recommendations of the Colonial Treasurer ; and of all Minutes of the Executive Council with respect to the matter contained in the above Report.
4. MR. CAPE to move,—
  - (1.) That it be an instruction to the Standing Orders Committee, to consider and report upon the expediency of adopting the following as a Sessional or Standing Order, for the better regulation of Debates in this House :—
  - (2.) That no Member speaking on a Motion, made by another Member, be allowed a longer period than twenty minutes.

- (3.) That on the presentation of Petitions no Member be allowed to speak longer than ten minutes, and in rising to speak to order, or in explanation, not longer than five minutes.
5. **MR. HODGSON** to move, That the Petition from Darling Downs, relative to Mr. Frederick Westmacott, presented by him on the 1st instant, be printed.
6. **MR. HODGSON** to move, That the Petition from Mr. William Murphy, late Assistant Lighthouse Keeper, at Newcastle, presented by him on the 18th October last, be printed.
7. **MR. CUMMINGS** to move,—  
 (1.) That a Select Committee be appointed to inquire and report on the condition of the Bathurst line of Road, from the West Bank of the Nepean River, to the East Bank of the Macquarie River, with power to send for persons and papers.  
 (2.) That such Committee consist of—Mr. Hawkins, Mr. Clements, Mr. Egan, Mr. Gordon, Mr. Hoskins, Mr. Parkes, Mr. Wisdom, Mr. Lord, Mr. Rotton, and the Mover.
8. **MR. ROBERTSON** to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
9. **MR. CLEMENTS** to move, That in the opinion of this House it is desirable that a sum sufficient to defray the cost of survey of a line for Railway from Bathurst, to meet the Victoria line at Echuca, should be placed on the Estimates for 1860; and that such survey should be proceeded with as expeditiously as possible.
10. **MR. MARTIN** to move the following Resolutions:—  
 (1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony, any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders.  
 (2.) That this House is further of opinion that no portion of this Colony should have been separated from it and erected into a new Colony unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.  
 (3.) That inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony, lying between the 26th and 30th degrees of south latitude, petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent, by which such separation has been announced.
11. **MR. DARK** to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Pant at Clarence Town.
12. **MR. GRAY** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—  
 (1.) A Return of all lands alienated by the Crown within the boundaries of the present Police District of Kiama, since the 1st of January, 1835—shewing the extent of each lot, whether Town, Suburban, or Country—together with the price realized by each—and the sum total arising from all such sales within the said District—and within the said period.  
 (2.) A Return of all sums of money expended on Public Works within the Police District of Kiama, since the 1st January, 1835.

ORDER OF THE DAY:—

1. Cattle Driving Act Amendment Bill; second reading.

TUESDAY, DECEMBER 13:

OTHER BUSINESS—NOTICES OF MOTION:—

1. **DR. LANG** to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.
2. **MR. COOPER** to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £3,450 to aid in supporting the Gold Fields Chaplains.

ORDERS OF THE DAY:—

1. Resumption of the adjourned Debate on Dr. Lang's motion,—  
 “(1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.  
 “(2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover.”
2. Revenue and Audit Bill; second reading.

FRIDAY, DECEMBER 16.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Primary Education Encouragement Bill; second reading.

DANIEL COOPER,  
*Speaker.*



No. 37.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

TUESDAY, 6 DECEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Vacant Seat :—The Speaker having reported that he had this day received a letter from John McPhillamy, Esquire, resigning his Seat as Member for West Macquarie,—Mr. Forster moved, That the Seat of John McPhillamy, Esquire, as Member for the Electoral District of West Macquarie, hath become, and is now vacant, by reason of the resignation thereof by the said John McPhillamy, Esquire.  
Question put and passed.
2. Paper :—Mr. Forster laid upon the Table an Index to (Colonial) Laws.  
Ordered to be printed.
3. Elective Legislative Council Bill :—Mr. Forster having presented this Bill, Bill intituled, "*A Bill to amend the Constitution of the Legislative Council*," read a first time; ordered to be printed, and read a second time to-morrow week.
4. Paper :—Mr. Black laid upon the Table the Return to the Order, in reference to Members of the Assembly, being Tenants of the Crown, made by this House, on motion of Mr. Parkes, on the 23rd September last.  
Ordered to be printed.
5. State Aid to Religion :—Mr. Robertson presented a Petition from certain Inhabitants of the Town of Scone and the Police District thereof, praying the House not to pass the Bill having for its object the ultimate withdrawal of the present grant towards Public Worship.  
Petition received.
6. Newcastle Wallsend Coal Company's Railway Bill :—Mr. Jones, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before the Select Committee for whose consideration and report this Bill was referred on the 20th September last.  
Ordered to be printed ;—  
Whereupon, on motion of Mr. Jones, the second reading of this Bill ordered to stand an Order of the Day for Thursday next.
7. Committee of Elections and Qualifications :—William Timothy Cape, Esquire, sworn at the Table, by the Clerk, as a Member of the Committee of Elections and Qualifications for the remainder of the present Session, pursuant to the requirement of the 70th section of the Electoral Act of 1858.
8. Police Magistrate for Central Police Court, Sydney :—Mr. Lyons moved, pursuant to notice, That this House will on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Supplementary Estimates, a sum not exceeding Six hundred and thirty pounds, for the purpose of providing a Police Magistrate for the Central Police Court, Sydney.  
Debate ensued.  
Motion by leave withdrawn.
9. Postponements :—  
(1.) Mr. Parkes postponed the motion standing in his name second on the Notice Paper for to-day, until this day fortnight.  
(2.) Mr. Plunkett postponed the motion standing in the name of Mr. Murray third on the Notice Paper for to-day, until Friday next.
10. Motion withdrawn :—Mr. Cooper withdrew the motion standing in his name fourth on the Notice Paper for to-day.
11. Postponements :—  
(1.) Mr. Robertson postponed the motion standing in the name of the Revd. Dr. Lang fifth on the Notice Paper for to-day, until Friday next.  
(2.) Mr. Hodgson postponed the motion standing in the name of Mr. Wild sixth on the Notice Paper for to-day, until this day week.  
(3.) Mr. Atkinson postponed the motion standing in his name seventh on the Notice Paper for to-day, until Tuesday next.  
(4.) Mr. Plunkett postponed the motions standing in the name of Mr. Murray eighth and ninth on the Notice Paper for to-day, until Friday next.

12. Court of Quarter Sessions at Dubbo:—Mr. Lord moved, pursuant to notice, That the Petition relative to the establishment of a Court of Quarter Sessions at Dubbo, presented by him on the 1st instant, be printed.  
Question put and passed.  
Ordered to be printed.
13. Proceedings of the Synod of Australia in 1842:—Mr. Robertson moved, pursuant to notice given by the Revd. Dr. Lang, That the Petition of certain Presbyterians of Sydney, relative to the Proceedings of the Synod of Australia in 1842, presented by the Revd. Dr. Lang on the 1st instant, be printed.  
Question put and passed.  
Ordered to be printed.
14. Disputed Boundary, Araluen Diggings:—Mr. Cooper moved, pursuant to amended notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence and Papers relative to a disputed boundary between Mundy's grant, situate at Braidwood, now the property of Messrs. Hassall and Roberts, and the Araluen Diggings.  
Debate ensued.  
Question put and passed.
15. Grievances:—Mr. Parkes moved, pursuant to amended notice,—  
1. That a Select Committee be appointed to inquire into and report upon the allegations contained in the several undermentioned Petitions:—  
  - (1.) The Petition of Cornelius Delohery, presented to the Legislative Assembly, December 9th, 1856.
  - (2.) The Petition of James Pegg, presented to the Legislative Assembly, August 18th, 1858.
  - (3.) The Petition of Frederick Dunbar, presented to the Legislative Assembly, September 1st, 1859; together with the Papers referred to in such Petition.
  - (4.) The Petition of John Malley, presented to the Legislative Assembly, September 16th, 1859.
  - (5.) The Petition of Edwin Tyler, presented to the Legislative Assembly, November 29th, 1859.
2. That such Committee consist of Mr. Flood, Mr. Rotton, Mr. Pemell, Dr. Lang, Mr. Macleay, Mr. Nott, Mr. Dickson, Mr. Laycock, Mr. Black, and the Mover.  
Debate ensued.  
Question put and passed.
16. Tanners and Curriers Bill:—Mr. Parkes moved, pursuant to notice, for leave to introduce a Bill to repeal so much of the Act 13 Vic., No. 42, as relates to Tanners and Curriers.  
Question put and passed; *Ordered*, That the Mover and Secunder prepare and bring in the Bill.
17. Printing Petitions:—Mr. Hamilton moved, pursuant to notice, That the Petitions presented by him on the 29th November last, from the Rev. Dr. James Fullerton, and from certain Presbyterians of Singleton, against the appointment of a Committee of Inquiry into certain proceedings of the Synod of Australia, in the year 1842, be printed.  
Question put and passed.  
Ordered to be printed.
18. Tanners and Curriers Bill:—Mr. Parkes having presented this Bill, Bill intituled, "*A Bill to repeal so much of the Act 13th Victoria, No. 42, as relates to Tanners and Curriers*," read a first time; ordered to be printed, and read a second time on Friday next.
19. Standing Orders Committee:—Mr. Forster moved, pursuant to notice, That the following Members be added to the Standing Orders Committee:—Mr. Forster, and Mr. Hodgson.  
Question put and passed.
20. Library Committee:—Mr. Forster moved, pursuant to notice, That the following Members be added to the Library Committee:—Mr. Black, and Mr. Cape.  
Question put and passed.
21. Mr. C. F. Gorton:—Mr. Wild moved, pursuant to notice, That the following Members be added to the Committee on the case of Mr. C. F. Gorton, viz.:—Mr. Jenkins, Mr. Hurley, and Mr. Nott.  
Question put and passed.
22. Sydney Municipal Council:—Mr. Broughton moved, pursuant to notice, That the following Members be added to the Committee upon the Sydney Municipal Council, viz.:—Messrs. Hawkins, Gordon, and Plunkett.  
Question put and passed.
23. Postponements:—  
  - (1.) Mr. Dalley postponed the motion standing in the name of Mr. Egan twentieth on the Notice Paper for to-day, until Friday next.

- (2.) The second reading of the Tolls Amendment Act Repeal Bill postponed, on motion of Mr. Robertson, until this day week.
- (3.) The second reading of the Capital Punishments Abolition Bill postponed, on motion of Mr. Plunkett, until Friday next.
- (4.) The Second Reading of the Law of Primogeniture Abolition Bill postponed, on motion of Mr. Plunkett until Friday next.
24. Printing Petitions:—The adjourned debate on Mr. Parkes' motion—That the Petition of the Revd. John McGibbon; the Petition of Edwin Tyler; the Petition of Merchants and Traders of Sydney, respecting the Circular Quay; the Petition of Merchants, respecting the arrangements for Storing Gunpowder; and the Petition of certain Manufacturers, respecting Tanneries, presented by him, November 29th, be printed—resumed.  
Question put and passed.  
Ordered to be printed.
25. Newcastle Wallsend Coal Company's Incorporation Bill, having been read a second time, on motion of Mr. Jones, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for consideration thereof.  
The Chairman having reported the Bill without amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time on Thursday next.
26. Judges' Pensions Bill, on motion of Mr. Plunkett, read a third time, and passed.  
Mr. Plunkett then moved, That the Title of this Bill be, "*An Act further to regulate and secure the Pensions of Retired Judges.*"  
Question put and passed,—  
Whereupon Mr. Plunkett moved, That this Bill be carried to the Legislative Council with the following Message:—  
MR. PRESIDENT.  
The Legislative Assembly having this day passed a Bill intituled, "*An Act further to regulate and secure the Pensions of Retired Judges,*" presents the same to the Legislative Council for its concurrence.  
*Legislative Assembly Chamber,*  
Sydney, 6 December, 1859.  
Speaker.  
Question put and passed.
27. Postponements:—  
(1.) The second reading of the Lien on Wool Act Continuation Bill postponed, on motion of Mr. Forster, until Friday next.  
(2.) The second reading of the Crown Lands Sales Bill postponed, on motion of Mr. Robertson, until Friday next.  
(3.) The second reading of the Crown Lands Occupation Bill postponed, on motion of Mr. Robertson, until Friday next.
28. Leased Lands Occupation Bill:—On the Order of the Day being read,—  
Mr. Forster moved, That the Order of the Day for the second reading of this Bill be now discharged from the Paper.  
Debate ensued.

And the House continuing to sit till after midnight,—

WEDNESDAY, 7 DECEMBER, 1859.

Debate continued.

Motion made by Mr. Gordon, and Question put,—That the Debate be now adjourned until a later hour to-day, and have precedence over all other Business on the Paper.  
The House divided.

Ayes, 4.

Mr. Egan,  
Mr. Oakes,  
Mr. Atkinson, } Tellers.  
Mr. Gordon.

Noes, 43.

Mr. Forster,	Mr. G. Lang,
Mr. Clements,	Mr. Cummings,
Rev. Dr. Lang,	Mr. Lord,
Mr. Black,	Mr. Ryan,
Mr. Samuel,	Mr. Plunkett,
Mr. Cooper,	Mr. Hamilton,
Mr. Robertson,	Mr. Wild,
Mr. Windeyer,	Mr. Fiddington,
Mr. Nott,	Mr. Cape,
Mr. McArthur,	Mr. Wisdom,
Mr. Lyons,	Mr. Close,
Mr. Parkes,	Mr. Hoskins,
Mr. Asher,	Mr. Gray,
Mr. Loder,	Mr. Rotton,
Mr. Pamell,	Mr. Jones,
Mr. Garrett,	Mr. Flood,
Mr. Hawkins,	Mr. Wekes,
Mr. Laidlaw,	Mr. Dickson,
Mr. Hurley,	Mr. Jenkins,
Mr. Hyeronimus,	Mr. Wilson,
Mr. Hay,	Mr. Morris,
Mr. Broughton,	

} Tellers.

Debate continued.  
Original Question put.

The

The House divided.

Ayes, 27.

Mr. Forster,	Mr. Cummings,
Mr. Black,	Mr. Broughton,
Mr. Samuel,	Mr. Cape,
Mr. Nott,	Mr. Jones,
Mr. Loder,	Mr. Hay,
Mr. Lord,	Mr. Hurley,
Mr. Laidlaw,	Mr. Hawkins,
Mr. Dickson,	Mr. Clements,
Mr. Wild,	Mr. Hamilton,
Mr. Garrett,	Mr. Plunkett,
Mr. Jenkins,	Mr. Wilson,
Mr. Hyeronimus,	Mr. Lyons,
Mr. Asher,	Mr. Morris.
Mr. Ryan,	

} Tellers.

Noes, 20.

Rev. Dr. Lang,	Mr. Wisdom,
Mr. Robertson,	Mr. Close,
Mr. Windeyer,	Mr. Hoskins,
Mr. Parkes,	Mr. Flood,
Mr. McArthur,	Mr. Rotton,
Mr. Gordon,	Mr. Gray.
Mr. Fgan,	
Mr. Weekes,	
Mr. Pemell,	
Mr. Atkinson,	
Mr. Oakes,	
Mr. Cooper,	
Mr. G. Lang,	
Mr. Piddington,	

} Tellers.

Whereupon motion made by Mr. Forster, and Question, That this Bill be now discharged from the Paper,—put and passed.

29. Postponement:—The consideration in Committee of the Report of the Standing Orders Committee on Proceedings in Committee of Supply postponed, on motion of Mr. Forster, until to-morrow.

30. Police Regulation Act Amendment Bill, on motion of Mr. Forster, read a third time, and passed.

Mr. Forster then moved, That the Title of this Bill be "*An Act to amend 'An Act for the Regulation of the Police Force.'*"

Question put and passed;—

Whereupon Mr. Forster, moved, That this Bill be carried to the Legislative Council with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to amend 'An Act for the Regulation of the Police Force,'*" presents the same to the Legislative Council for its concurrence.

Speaker.

*Legislative Assembly Chamber,  
Sydney, 7 December, 1850.*

Question put and passed.

The House adjourned at five minutes after One o'clock, A.M., until Three o'clock P.M. to-day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, DECEMBER 7.

*Contingent Notice of Motion:—*

1. MR. SAMUEL (on the Order of the Day, for the consideration of the Governor General's Message, No. 9, requesting the return of the Estimates for 1860, which accompanied His Excellency's Message, No. 2, of 28th September last, being read) to move, That the request contained in His Excellency the Governor General's Message, No. 9, be complied with, and that an Address be accordingly presented to His Excellency, returning the Estimates which accompanied his Message, No. 2, of the 28th September last, with an intimation that the sums therein submitted for the Establishments of His Excellency the Governor General and the Executive Council have been already voted.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. FORSTER to move for leave to introduce a Bill to regulate the Occupation of Crown Lands in certain cases, and to prevent the renewal of Leases thereof.
2. MR. FORSTER to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to His Excellency the Governor General, embodying the following Resolutions:—

1. That this House is of opinion that the Government of this Colony should be authorised to grant a subsidy not exceeding £9,625 per annum, for a term not exceeding fifty years, to any Company, of the stability of which satisfactory assurance shall be given, to induce such Company to construct and maintain a Submarine Telegraphic Line, by way of Torres Straits, from Moreton Bay to East Java, upon the following conditions, that is to say:—

- (1.) That the Government of Victoria shall make arrangements with such Company, by subsidy or otherwise, for the residue, over and above the annual subsidy of this Colony, necessary for the carrying out of the work.
- (2.) That the period within which the first call of the subscribed capital of the Company shall be made, shall be limited to twelve calendar months, from the date of the concurrence of the Colony of Victoria in the preceding condition.
- (3.) That the whole work shall be completed and in effective operation within two years from the date of the first call of the subscribed capital of the Company, subject, however, to such extension of the time, to meet possible contingencies, as may hereafter be agreed upon.

(4.)

- (4.) That the proposed subsidy shall commence from the date of the first call.
  - (5.) That the payment of the said subsidy shall further be conditional on the maintenance of the Line in effective working order.
  - (6.) That no tariff of charges shall be established without the concurrence of this Colony.
  - (7.) That in the event of any dividend of the Company exceeding the rate of 12 per cent. per annum, so much of the subsidy as will reduce such dividend to the rate of 12 per cent. shall not be payable by the Government of this Colony.
2. That steps be taken without delay to communicate with, and settle the proportionate contributions of the other Colonies in aid of the respective contributions of New South Wales and Victoria.

ORDERS OF THE DAY :—

1. Consideration of Governor General's Message No. 9, requesting return of Estimates for 1860.
2. Certain Public Officers' Salaries Reduction Bill; second reading.
3. Supply; Resumption of the Committee.
4. New Trial Motion Bill; to be considered in Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HAY to move, That this House will, to-morrow, resolve itself into a Committee of the whole to consider of an Address to His Excellency the Governor General, praying that His Excellency will cause a sum of money to be placed on the Estimates for the Service of the year 1860, equal to one year's salary of the Chief Justice of the Colony to be granted to Sir Alfred Stephen, for his support during the term of that leave of absence which he has applied for, and, which under all the circumstances of the case as detailed in the papers now before it, this House thinks reasonable and just.
2. MR. BYRNES to move for leave to bring in a Bill to protect from pollution the Fresh Water collected for the supply of the Inhabitants of the Town and Suburbs of Parramatta.
3. MR. SAMUEL to move, That Mr. Samuel and Mr. Gordon be added to the Pitt-street Tramway Committee.
4. MR. FORSTER to move, That the following Members be added to the Retrenchment Committee :—Mr. Wisdom, Mr. Loder, and the Mover.
5. MR. FORSTER to move, That the following Members be added to the Secondary Punishment Committee :—Mr. Flood, Mr. Black, Mr. Robertson, Mr. Rotton, and the Mover.

ORDER OF THE DAY :—

1. Report of Standing Orders Committee on Proceedings in Committee of Supply; to be considered in Committee.

Questions :—

1. MR. ROTTON to ask THE COLONIAL SECRETARY,—Has the Government yet recommended His Excellency the Governor General, or if not, does it intend to recommend him, to accept the resignations tendered by certain Magistrates of Mudgee and Goulburn; if not, for what reasons?
2. MR. CLARK IRVING to ask THE COLONIAL TREASURER,—If it is the intention of the Government to forward the Gold from the Clarence Gold Fields by the Escort to Armidale, for transmission to Sydney, in place of forwarding it to Grafton as heretofore; and, if so, is there any objection to produce either Memorials or Correspondence that may have induced such change in the present arrangements?
3. MR. CLARK IRVING to ask the COLONIAL TREASURER,—If it is the intention of the Government to take the necessary steps to define the Police Districts in which the Proclaimed Gold Fields are situated,—the Proclamations only naming the Electoral Districts, and much confusion having arisen with reference to the Jurisdiction of the various Benches of Magistrates?
4. MR. DARVALL to ask THE COLONIAL SECRETARY,—Whether the Districts of the Wollombi and Macdonald are to have Sitzings of the District Court within those Districts?
5. MR. HODGSON to ask THE COLONIAL SECRETARY,—Whether there is any intention on the part of the Government, to establish a District Court at Newcastle; and if so, when?
6. MR. ASHER to ask THE COLONIAL TREASURER,—Whether the Church of England Minister at Albury is receiving any Stipend from the amount appropriated for Public Worship—and, if so, why was it not placed on the Return ordered to be printed by the Legislative Assembly on the 29th September last—and if not in the receipt of any Stipend, why not?
7. MR. WISDOM to ask THE COLONIAL SECRETARY,—
  - (1.) When will the system of Money Orders by Electric Telegraph come into operation?
  - (2.) When will the Electric Telegraph between Sydney and Newcastle be open for public use?
8. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—
  - (1.) Whether any opinion or opinions have at any time been given by any, and what Law Officers, on the subject of the rights of the Resident Judge at Moreton Bay, as a Judge of the Supreme Court?
  - (2.) If any such opinion or opinions have been given, is there any objection to lay them upon the Table of the House, in order that the present position of the Resident Judge, in respect to the Supreme Court of this Colony, may be judged of?

9. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether the Government intend to introduce a Bill regulating Gold Mining on private property, during the present or the next Session?
10. MR. DICKSON to ask THE MINISTER REPRESENTING THE SECRETARY FOR WORKS,—Whether the Government intend to proceed forthwith with the extension of the Telegraph from Maitland northward to Singleton, Tamworth, and Armidale?

THURSDAY, DECEMBER 8.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Ways and Means; Resumption of Committee.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Supplementary Estimates for 1860, the following sums:—
  - £7,000 for the construction of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst.
  - £300 for the construction of a Bridge across the Bellubulla Creek, on the main line of road from Bathurst to Nanamai.
  - £300 for the construction of a Bridge across Ugowra Creek, at or near the junction of said creek with the Lachlan River, on main road to Balranald.
  - £200 for the construction of a Bridge across the Carrawobbidy Creek, being on the main road from Nanamai to Balranald.
  - £300 for the construction of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala Gold Fields.

ORDERS OF THE DAY:—

1. Newcastle Wallsend Coal Company's Railway Bill; second reading.
2. Newcastle Wallsend Coal Company's Incorporation Bill; third reading.

Questions:—

1. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—Whether the present Government intend to remedy the consequences following from a Proclamation issued in July last, erecting several Watchhouses into Gaols; if so, in what way is it proposed to be done?
2. MR. ASHER to ask THE COLONIAL SECRETARY,—Why the Government have not handed over the Tolls of the Ferry at Albury to the Municipal Body there, in accordance with the 73rd Section of the Municipalities Act, entitling Municipal Bodies to all Tolls, Dues, Ferries, &c.; and whether the Government have determined upon withholding from the Municipal Body there this important item of Town Revenue?
3. MR. DARVALL to ask THE COLONIAL SECRETARY,—What steps the Government intend to take with respect to the payment of Debentures, or interest thereon, falling due, pending the settlement of the New South Wales and Queensland Public Debt?

FRIDAY, DECEMBER 9.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. WILSON to move;—
  - (1.) That the export tax on gold, is a direct tax on the most important branch of Colonial industry, and being levied on a particular class, is repugnant to justice and the principles of equal taxation, and ought therefore to be repealed.
  - (2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.
2. MR. SCOTT to move;—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board,
    - (2.) Upon the operation of the present system of Tonnage Dues; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
3. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, full copies of all papers connected with the summary dismissal of Lieutenant Seaver, R.N., from the offices of Deputy Harbour Master and Shipping Master, at Newcastle, including the report of the Board of Inquiry into the conduct of the Harbour Master's Department at that Port; of all recommendations of the Colonial Treasurer; and of all Minutes of the Executive Council with respect to the matter contained in the above Report.
4. MR. CAPE to move;—
  - (1.) That it be an instruction to the Standing Orders Committee, to consider and report upon the expediency of adopting the following as a Sessional or Standing Order, for the better regulation of Debates in this House:—
    - (2.) That no Member speaking on a Motion, made by another Member, be allowed a longer period than twenty minutes.
    - (3.) That on the presentation of Petitions no Member be allowed to speak longer than ten minutes, and in rising to speak to order, or in explanation, not longer than five minutes.

5. MR. HODGSON to move, That the Petition from Darling Downs, relative to Mr. Frederick Westmacott, presented by him on the 1st instant, be printed.
6. MR. HODGSON to move, That the Petition from Mr. William Murphy, late Assistant Lighthouse Keeper, at Newcastle, presented by him on the 18th October last, be printed.
7. MR. CUMMINGS to move,—
  - (1.) That a Select Committee be appointed to inquire and report on the condition of the Bathurst line of Road, from the West Bank of the Nepean River, to the East Bank of the Macquarie River, with power to send for persons and papers.
  - (2.) That such Committee consist of—Mr. Hawkins, Mr. Clements, Mr. Egan; Mr. Gordon, Mr. Hoskins, Mr. Parkes; Mr. Wisdom, Mr. Lord, Mr. Rotton, and the Mover.
8. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
9. MR. CLEMENTS to move, That in the opinion of this House it is desirable that a sum sufficient to defray the cost of survey of a line for Railway from Bathurst, to meet the Victoria line at Echuca, should be placed on the Estimates for 1860; and that such survey should be proceeded with as expeditiously as possible.
10. MR. MARTIN to move the following Resolutions:—
  - (1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony, any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders.
  - (2.) That this House is further of opinion that no portion of this Colony should have been separated from it and erected into a new Colony unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.
  - (3.) That inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony, lying between the 26th and 30th degrees of south latitude, petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent; by which such separation has been announced.
11. MR. DARK to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.
12. MR. GRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Return of all lands alienated by the Crown within the boundaries of the present Police District of Kiama, since the 1st of January, 1835—showing the extent of each lot, whether Town, Suburban, or Country—together with the price realized by each—and the sum total arising from all such sales within the said District—and within the said period.
  - (2.) A Return of all sums of money expended on Public Works within the Police District of Kiama, since the 1st January, 1835.
13. DR. LANG to move, That the adjourned Debate on the Rev. Dr. Lang's motion, That the "Duration of Legislative Assemblies Limitation Bill" be now read a second time—which lapsed by the House being counted out on Friday the 2nd instant—be restored to the Paper, and stand an Order of the Day for Tuesday next.
14. DR. LANG to move,—
  - (1.) That Mr. Black, having ceased to be a Member of the Select Committee on the Presbyterian College, on his acceptance of Office and vacating his Seat in this House, be re-appointed to that Committee.
  - (2.) That Mr. Macalister and Mr. Richardson, having ceased to be Members of the said Committee, as they are no longer Members of this House, Mr. Gordon and Mr. Parkes be appointed as Members of the Presbyterian College Committee in their stead.
15. MR. ROBERTSON to move, That the Petition from Scone, relative to State Aid to Religion, presented by him on the 6th instant, be printed.
16. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all the Magistrates who have been placed in the Commission of the Peace during the present Administration, specifying the recommendations received by the Government in favor of, and the dates of their appointments.
17. DR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd September last, be now taken into consideration.
18. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
19. MR. MURRAY to move, That there be laid upon the Table of this House, a nominal Return showing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.
20. MR. EGAN to move, That the Petition from Eden, Panbula, and Bega, relative to the spread of Thistles, presented by him on the 1st instant, be printed.

## ORDERS OF THE DAY:—

1. Cattle Driving Act Amendment Bill; second reading.
2. Tanners and Curriers Bill; second reading.
3. Capital Punishments Abolition Bill; second reading.
4. Law of Primogeniture Abolition Bill; second reading.
5. Lien on Wool Act Continuation Bill; second reading.
6. Crown Lands Sales Bill; second reading.
7. Crown Lands Occupation Bill; second reading.

## Question:—

1. MR. WISDOM to ask THE COLONIAL SECRETARY,—
  - (1.) Whether the Deputy Master of the Mint has written to the Governor General, protesting against the Government in any way altering the Estimates of 1860 for the department of the Branch of the Royal Mint in this Colony?
  - (2.) Whether the Government consider the Branch of the Royal Mint an Imperial Institution, and not subjected to the control of the Colonial Legislature?
  - (3.) Will there be any objection to lay upon the Table of this House the Correspondence, if any, which has passed between the Deputy Master of the Mint and the Governor General, or Government, on this subject?

## TUESDAY, DECEMBER 13.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.
2. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £3,150 to aid in supporting the Gold Fields' Chaplains.
3. MR. WILD to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the ensuing year, a sum not exceeding £300 for the re-erection of the Lock-up at Bargo.
4. MR. ATKINSON to move,—
  - (1.) That a Select Committee be appointed to inquire into the management, construction, and condition, of the Southern and Northern Railways of the Colony.
  - (2.) That such Committee consist of Mr. Flood, Mr. Hay, Mr. Jones, Mr. Samuel, Mr. Scott, Mr. Irving, Mr. Rotton, Mr. Parkes, Mr. Jamison, and the Mover.

## ORDERS OF THE DAY:—

1. Resumption of the adjourned Debate on Dr. Lang's motion,—
  - "(1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
  - "(2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
2. Revenue and Audit Bill; second reading.
3. Tolls Amendment Act Repeal Bill; second reading.

## Question:—

1. MR. HART to ask THE COLONIAL SECRETARY,—Under what circumstances, and at whose recommendation, was Daniel Kennedy, a hired servant of Mr. Darby, of Bundarrab, in the District of Armidale, placed in the Commission of the Peace?

## WEDNESDAY, DECEMBER 14.

## GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Elective Legislative Council Bill; second reading.

## FRIDAY, DECEMBER 16.

## OTHER BUSINESS—ORDER OF THE DAY:—

1. Primary Education Encouragement Bill; second reading.

## TUESDAY, DECEMBER 20.

## Contingent Notice of Motion:—

1. MR. HODGSON to move, as an amendment on Mr. Parkes' motion,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

OTHER



## OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.

DANIEL COOPER,  
*Speaker.*

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No. 38.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 7 DECEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
State Aid to Religion:—Mr. Laidlaw presented a Petition from certain Inhabitants of Gunning and Collector, and their Suburbs, praying the continuance of Schedule C, but that the larger portion thereof be allotted to the Country Districts.  
Petition received.
2. Importation of Cattle Regulation Bill:—Mr. Morris having presented this Bill, Bill, intituled "*A Bill to regulate the importation of Cattle for the purpose of preventing the introduction of contagious or infectious disorders,*" read a first time; ordered to be printed, and read a second time on next Friday month.
3. Crown Lands Temporary Regulation Bill:—Mr. Forster moved, pursuant to notice, for leave to introduce a Bill to regulate the Occupation of Crown Lands in certain cases, and to prevent the renewal of Leases thereof.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
4. Postponement:—Mr. Forster postponed the motion standing in his name second on the Notice Paper of Government Business for to-day, until Tuesday next.
5. Crown Lands Temporary Regulation Bill:—Mr. Forster having presented this Bill, Bill, intituled, "*A Bill to regulate the Occupation of Crown Lands in certain cases, and to prevent the renewal of Leases thereof,*" read a first time; ordered to be printed, and read a second time to-morrow.
6. Withdrawal of Estimates for 1860:—Upon the Order of the Day for the consideration of the Governor General's Message No. 9, requesting return of the Estimates for 1860 being read,—  
Mr. Samuel moved, pursuant to *Contingent Notice*, That the request contained in His Excellency the Governor General's Message, No. 9, be complied with, and that an Address be accordingly presented to His Excellency, returning the Estimates which accompanied his Message, No. 2, of the 28th September last, with an intimation that the sums therein submitted for the Establishments of His Excellency the Governor General and the Executive Council have been already voted.  
Question put and passed.
7. Estimates for 1860, in substitution for those withdrawn:—The following Message from His Excellency the Governor General received and read:—

W. DENISON,  
*Governor General.*

*Message No. 10.*

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Governor General herewith submits for the consideration of the Legislative Assembly, Estimates of the probable Expenditure of this Government for the year 1860, in substitution for those submitted with His Excellency's Message No. 2, of the 28th September last.

The Governor General also submits for consideration an Additional Supplementary Estimate of Expenditure for the present year.

*Government House,  
Sydney, 7 December, 1859.*

*Ordered* to be printed, together with the accompanying Estimates, and referred to the Committee of Supply.

8. Certain Public Officers' Salaries Reduction Bill:—Mr. Forster 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. Forster, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, for consideration thereof.  
The Chairman reported progress, and obtained leave to sit again to-morrow.

9. Postponement :—The resumption of the Committee of Supply postponed, on motion of Mr. Samuel, until Wednesday next.
10. New Trial Motion Bill :—Upon the Order of the Day being read,—  
Mr. Flood moved, That the Order of the Day for the consideration of this Bill in Committee be now discharged from the Paper.  
Question put and passed.  
Whereupon Mr. Jones moved, That the Bill be now discharged from the Paper.  
Question put and passed.
11. Salary of Chief Justice, during absence of Sir Alfred Stephen :—Mr. Hay moved, pursuant to *amended* notice, That this House will, to-morrow, resolve itself into a Committee of the whole to consider of an Address to His Excellency the Governor General, praying that His Excellency will cause a sum of money to be placed on the Estimates for the Service of the year 1860, equal to one year's salary of the Chief Justice of the Colony, to make provision for the performance of the duties of that office during the term of the leave of absence which Sir Alfred Stephen has applied for, and which, under all the circumstances of the case, as detailed in the papers now before it, this House thinks reasonable and just.  
Debate ensued.

And the House continuing to sit till after midnight,—

THURSDAY, 8 DECEMBER, 1859.

Debate continued.

Question put.

The House divided.

Ayes, 31.

Mr. Forster,	Mr. Cummings,
Mr. Black,	Mr. Close,
Mr. Samuel,	Mr. Hodgson,
Mr. Clements,	Mr. Macleay,
Mr. Russell,	Mr. Roberts,
Mr. McArthur,	Mr. Hurley,
Mr. Irving,	Mr. Loder,
Mr. Hay,	Mr. Hawkins,
Mr. Laidlaw,	Mr. Piddington,
Mr. Sayers,	Mr. Plunkett,
Mr. Morris,	Mr. Hamilton,
Mr. Egan,	Mr. Dalley,
Mr. Hyeronimus,	Mr. Broughton,
Mr. Martin,	Mr. Lyons,
Mr. Atkinson,	Mr. Nott.

} Tellers:

Noes, 17.

Mr. Robertson,	Mr. Weekes,	} Tellers.
Mr. Byrnes,	Mr. Dickson.	
Mr. Parkes,		
Mr. Garrett,		
Mr. Gordon,		
Mr. Windeyer,		
Mr. Hoskins,		
Mr. Arnold,		
Mr. G. Lang,		
Mr. Wisdom,		
Mr. Gray,		
Mr. Rotton,		
Mr. Jones,		
Mr. Wilson,		
Mr. Cooper,		

12. Parramatta Water Protection Bill :—Mr. Byrnes moved, pursuant to notice, for leave to bring in a Bill to protect from pollution the Fresh Water collected for the supply of the Inhabitants of the Town and Suburbs of Parramatta.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
13. Pitt-street Tramway Bill :—Mr. Samuel moved, pursuant to notice, That Mr. Samuel and Mr. Gordon be added to the Pitt-street Tramway Committee.  
Question put and passed.
14. Retrenchment in the Public Expenditure :—Mr. Forster moved; pursuant to notice, That the following Members be added to the Retrenchment Committee :—Mr. Wisdom, Mr. Loder, and the Mover.  
Mr. Wisdom moved, That the Question be amended by the omission of his name.  
Question put—That the words "Mr. Wisdom" stand part of the Question.  
The House divided:

Ayes, 9.

Mr. Black,	Mr. Forster,	} Tellers.
Mr. Samuel,	Mr. Loder,	
Mr. Arnold,	Mr. Morris.	
Mr. Plunkett,		
Mr. Piddington,		
Mr. Hamilton,		

Noes, 11.

Mr. Robertson,	Mr. Wisdom,	} Tellers.
Mr. Parkes,	Mr. Rotton,	
Mr. Gray,	Mr. Wilson,	
Mr. Garrett,	Mr. Byrnes,	
Mr. Hoskins,	Mr. Dickson.	
Mr. G. Lang,		

Whereupon Question, *as so amended*, put,—That the following Members be added to the Retrenchment Committee :—Mr. Loder, and the Mover.  
The House divided.

And the Tellers reporting the numbers as follows :—

Ayes, 16.

Mr. Forster,	Mr. G. Lang,	} Tellers.
Mr. Loder,	Mr. Piddington,	
Mr. Black,	Mr. Hamilton,	
Mr. Samuel,	Mr. Wilson,	
Mr. Garrett,	Mr. Rotton,	
Mr. Parkes,	Mr. Byrnes,	
Mr. Robertson,	Mr. Gray,	
Mr. Hoskins,	Mr. Morris.	

Noes, 2.

Mr. Wisdom,	} Tellers.
Mr. Arnold.	

And it appearing by the said Report that there was not a Quorum present, the Speaker adjourned the House at One o'clock, A.M., until Three o'clock, P.M., to-day.

NOTICES

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, DECEMBER 8.

*Contingent Notice of Motion :—*

1. MR. FORSTER to move, That in the event of the Crown Lands' Temporary Regulation Bill passing through second reading and Committee, the third reading take precedence of all other business on Friday next.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Ways and Means ; Resumption of Committee.
2. Crown Lands Temporary Regulation Bill ; second reading.
3. Certain Public Officers' Salaries Reduction Bill ; To be further considered in Committee.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Supplementary Estimates for 1860, the following sums :—

£7,000 for the construction of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst.

£300 for the construction of a Bridge across the Bellubulla Creek, on the main line of road from Bathurst to Nanamai.

£300 for the construction of a Bridge across Ugowra Creek, at or near the junction of said creek with the Lachlan River, on main road to Balranald.

£200 for the construction of a Bridge across the Carrawobiddy Creek, being on the main road from Nanamai to Balranald.

£300 for the construction of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala Gold Fields.

2. MR. FORSTER to move, That the following Members be added to the Secondary Punishment Committee :—Mr. Flood, Mr. Black, Mr. Robertson, Mr. Rotton, and the Mover.

## ORDERS OF THE DAY :—

1. Newcastle Wallsend Coal Company's Railway Bill ; second reading.
2. Newcastle Wallsend Coal Company's Incorporation Bill ; third reading.
3. Salary of Chief Justice during Absence of Sir Alfred Stephen ; consideration in Committee of an Address for.
4. Report of Standing Orders Committee on Proceedings in Committee of Supply ; To be considered in Committee.

*Questions :—*

1. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—Whether the present Government intend to remedy the consequences following from a Proclamation issued in July last, erecting several Watchhouses into Gaols ; if so, in what way is it proposed to be done ?
2. MR. ASHIER to ask THE COLONIAL SECRETARY,—Why the Government have not handed over the Tolls of the Ferry at Albury to the Municipal Body there, in accordance with the 73rd Section of the Municipalities Act, entitling Municipal Bodies to all Tolls, Dues, Ferrics, &c. ; and whether the Government have determined upon withholding from the Municipal Body there this important item of Town Revenue ?
3. MR. DARVALL to ask THE COLONIAL SECRETARY,—What steps the Government intend to take with respect to the payment of Debentures, or interest thereon, falling due, pending the settlement of the New South Wales and Queensland Public Debt ?
4. MR. ROBERTSON to ask THE COLONIAL SECRETARY,—
  - (1.) Whether by the notice recently published in the *Government Gazette*, and headed Administrative Arrangements, the Department of the Crown Law Officers is again made a separate Government Department ; and if so, under what Responsible Minister is it placed ?
  - (2.) If by that notice it is not made a separate Department, what is the meaning and object of it, because by the notice of October, 1858, no duties but those appertaining to the office of a Responsible Minister were taken away from the Attorney General and Solicitor General ?

FRIDAY, DECEMBER 9.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WILSON to move,—
  - (1.) That the export tax on gold, is a direct tax on the most important branch of Colonial industry, and being levied on a particular class, is repugnant to justice and the principles of equal taxation, and ought therefore to be repealed.
  - (2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.
2. MR. SCOTT to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board,
    - (2.) Upon the operation of the present system of Tonnage Dues ; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.

3. **MR. HODGSON** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, full copies of all papers connected with the summary dismissal of Lieutenant Seaver, R.N., from the offices of Deputy Harbour Master and Shipping Master, at Newcastle, including the report of the Board of Inquiry into the conduct of the Harbour Master's Department at that Port; of all recommendations of the Colonial Treasurer; and of all Minutes of the Executive Council with respect to the matter contained in the above Report.
4. **MR. CAPE** to move,—
  - (1.) That it be an instruction to the Standing Orders Committee, to consider and report upon the expediency of adopting the following as a Sessional or Standing Order, for the better regulation of Debates in this House:—
  - (2.) That no Member speaking on a Motion, made by another Member, be allowed a longer period than twenty minutes.
  - (3.) That on the presentation of Petitions no Member be allowed to speak longer than ten minutes, and in rising to speak to order, or in explanation, not longer than five minutes.
5. **MR. HODGSON** to move, That the Petition from Darling Downs, relative to Mr. Frederick Westmacott, presented by him on the 1st instant, be printed.
6. **MR. HODGSON** to move, That the Petition from Mr. William Murphy, late Assistant Lighthouse Keeper, at Newcastle, presented by him on the 18th October last, be printed.
7. **MR. CUMMINGS** to move,—
  - (1.) That a Select Committee be appointed to inquire and report on the condition of the Bathurst line of Road, from the West Bank of the Nepean River, to the East Bank of the Macquarie River, with power to send for persons and papers.
  - (2.) That such Committee consist of—Mr. Hawkins, Mr. Clements, Mr. Egan, Mr. Gordon, Mr. Hoskins, Mr. Parkes, Mr. Wisdom, Mr. Lord, Mr. Rotton, and the Mover.
8. **MR. ROBERTSON** to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
9. **MR. CLEMENTS** to move, That in the opinion of this House it is desirable that a sum sufficient to defray the cost of survey of a line for Railway from Bathurst, to meet the Victoria line at Echuca, should be placed on the Estimates for 1860; and that such survey should be proceeded with as expeditiously as possible.
10. **MR. MARTIN** to move the following Resolutions:—
  - (1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony, any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders.
  - (2.) That this House is further of opinion that no portion of this Colony should have been separated from it and erected into a new Colony unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.
  - (3.) That inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony, lying between the 26th and 30th degrees of south latitude, petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent, by which such separation has been announced.
11. **MR. DARK** to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Hunt at Clarence Town.
12. **MR. GRAY** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Return of all lands alienated by the Crown within the boundaries of the present Police District of Kiama, since the 1st of January, 1835—shewing the extent of each lot, whether Town, Suburban, or Country—together with the price realized by each—and the sum total arising from all such sales within the said District—and within the said period.
  - (2.) A Return of all sums of money expended on Public Works within the Police District of Kiama, since the 1st January, 1835.
13. **DR. LANG** to move, That the adjourned Debate on the Rev. Dr. Lang's motion, That the "Duration of Legislative Assemblies Limitation Bill" be now read a second time—which lapsed by the House being counted out on Friday the 2nd instant—be restored to the Paper, and stand an Order of the Day for Tuesday next.
14. **DR. LANG** to move,—
  - (1.) That Mr. Black, having ceased to be a Member of the Select Committee on the Presbyterian College, on his acceptance of Office and vacating his Seat in this House, be re-appointed to that Committee.
  - (2.) That Mr. Macalister and Mr. Richardson, having ceased to be Members of the said Committee, as they are no longer Members of this House, Mr. Gordon and Mr. Parkes be appointed as Members of the Presbyterian College Committee in their stead.
15. **MR. ROBERTSON** to move, That the Petition from Scone, relative to State Aid to Religion, presented by him on the 6th instant, be printed.

16. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all the Magistrates who have been placed in the Commission of the Peace during the present Administration, specifying the recommendations received by the Government in favor of, and the dates of their appointments.
17. MR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd September last, be now taken into consideration.
18. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
19. MR. MURRAY to move, That there be laid upon the Table of this House, a nominal Return shewing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.
20. MR. EGAN to move, That the Petition from Eden, Panbula, and Bega, relative to the spread of Thistles, presented by him on the 1st instant, be printed.

ORDERS OF THE DAY:—

1. Cattle Driving Act Amendment Bill; second reading.
2. Tanners and Carriers Bill; second reading.
3. Capital Punishments Abolition Bill; second reading.
4. Law of Primogeniture Abolition Bill; second reading.
5. Lien on Wool Act Continuation Bill; second reading.
6. Crown Lands Sales Bill; second reading.
7. Crown Lands Occupation Bill; second reading.

Questions:—

1. MR. WISDOM to ask THE COLONIAL SECRETARY,—  
(1.) Whether the Deputy Master of the Mint has written to the Governor General, protesting against the Government in any way altering the Estimates of 1860 for the department of the Branch of the Royal Mint in this Colony?  
(2.) Whether the Government consider the Branch of the Royal Mint an Imperial Institution, and not subjected to the control of the Colonial Legislature?  
(3.) Will there be any objection to lay upon the Table of this House the Correspondence, if any, which has passed between the Deputy Master of the Mint and the Governor General, or Government, on this subject?
2. MR. GORDON to ask THE COLONIAL SECRETARY,—Whether the arrangements have yet been completed for establishing a District Court at Dungog; and if not, why not?
3. MR. GORDON to ask THE MINISTER REPRESENTING THE SECRETARY FOR WORKS,—Whether it is the intention of the present Government to extend the Telegraphic Communication from Campbelltown, or the most convenient point on the Southern line, to Wollongong, Kiama, and Shoalhaven; and if so, when the work will be commenced?
4. MR. PARKES to ask THE COLONIAL SECRETARY,—Whether any report has been made to the Government by the authorities of Darlinghurst Gaol, to the effect, that some few months ago a number of prisoners were unlocked at 6 A.M., or about that hour; that the turnkey, whose duty it was to take charge of these prisoners did not appear till 9 A.M., and that during his absence several of them attempted to scale the outer wall by means of a ladder found in the yard, and were only prevented by being accidentally observed by another person, not intrusted with their safe keeping. If any such occurrence took place, what course was taken in respect to the officer or officers in fault?

TUESDAY, DECEMBER 13.

OTHER BUSINESS—NOTICES OF MOTION:—

1. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.
2. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £3,450 to aid in supporting the Gold Fields' Chaplains.
3. MR. WILD to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the ensuing year, a sum not exceeding £800 for the re-erection of the Lock-up at Bargo.
4. MR. ATKINSON to move,—  
(1.) That a Select Committee be appointed to inquire into the management, construction, and condition, of the Southern and Northern Railways of the Colony.  
(2.) That such Committee consist of Mr. Flood, Mr. Hay, Mr. Jones, Mr. Samuel, Mr. Scott, Mr. Irving, Mr. Rotton, Mr. Parkes, Mr. Jamison, and the Mover.

ORDERS

## ORDERS OF THE DAY :—

1. Resumption of the adjourned Debate on Dr. Lang's motion,—  
 " (1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.  
 " (2.) That such Committee consist of the following Members, viz. :—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
2. Revenue and Audit Bill; second reading.
3. Tolls Amendment Act Repeal Bill; second reading.

## GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. FORSTER to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to His Excellency the Governor General, embodying the following Resolutions :—  
 1. That this House is of opinion that the Government of this Colony should be authorised to grant a subsidy not exceeding £9,625 per annum, for a term not exceeding fifty years, to any Company, of the stability of which satisfactory assurance shall be given, to induce such Company to construct and maintain a Submarine Telegraphic Line, by way of Torres Straits, from Moreton Bay to East Java, upon the following conditions, that is to say :—  
     (1.) That the Government of Victoria shall make arrangements with such Company, by subsidy or otherwise, for the residue, over and above the annual subsidy of this Colony, necessary for the carrying out of the work.  
     (2.) That the period within which the first call of the subscribed capital of the Company shall be made, shall be limited to twelve calendar months, from the date of the concurrence of the Colony of Victoria in the preceding condition.  
     (3.) That the whole work shall be completed and in effective operation within two years from the date of the first call of the subscribed capital of the Company, subject, however, to such extension of the time, to meet possible contingencies, as may hereafter be agreed upon.  
     (4.) That the proposed subsidy shall commence from the date of the first call.  
     (5.) That the payment of the said subsidy shall further be conditional on the maintenance of the Line in effective working order.  
     (6.) That no tariff of charges shall be established without the concurrence of this Colony.  
     (7.) That in the event of any dividend of the Company exceeding the rate of 12 per cent. per annum, so much of the subsidy as will reduce such dividend to the rate of 12 per cent. shall not be payable by the Government of this Colony.  
 2. That steps be taken without delay to communicate with, and settle the proportionate contributions of the other Colonies in aid of the respective contributions of New South Wales and Victoria.

## Question :—

1. MR. HART to ask THE COLONIAL SECRETARY,—Under what circumstances, and at whose recommendation, was Daniel Kennedy, a hired servant of Mr. Darby, of Bundarra, in the District of Armidale, placed in the Commission of the Peace?

## WEDNESDAY, DECEMBER 14.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Elective Legislative Council Bill; second reading.
2. Supply; Resumption of the Committee.

## FRIDAY, DECEMBER 16.

## OTHER BUSINESS—ORDER OF THE DAY :—

1. Primary Education Encouragement Bill; second reading.

## TUESDAY, DECEMBER 20.

## Contingent Notice of Motion :—

1. MR. HODGSON to move, as an amendment on Mr. Parkes' motion,—That there be inserted between Resolutions 4 and 5, the Resolution following :—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

OTHER



## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
2. MR. ROBERTSON to move,—
  - (1.) That, in the opinion of this House, the Minister charged with the control of the Expenditure for Public Works ought to be a Member of the Legislative Assembly.
  - (2.) That this House particularly disapproves of the office of Minister for Public Works being held by a gentleman who has never been elected by the people to the position of a Member of Parliament.

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FRIDAY, JANUARY 6.

## OTHER BUSINESS—ORDER OF THE DAY :—

1. Importation of Cattle Regulation Bill; second reading.

DANIEL COOPER,  
*Speaker.*

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No. 39.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

THURSDAY, 8 DECEMBER, 1859.

1. *The House met pursuant to adjournment; the Speaker took the Chair.*  
 Soap Manufacturers:—Mr. Plunkett presented a Petition from Owen Joseph Caraher, of Gloucester-street, Sydney, Soap Manufacturer, praying the House to award to Soap Manufacturers in the City of Sydney, the same measure of indulgence as they shall think it expedient to grant to the Tanners and Carriers who lately petitioned the House.  
 Petition received.
2. *Parramatta Water Protection Bill:—Mr. Byrnes having presented this Bill, Bill intitled, "A Bill to protect from pollution the fresh water collected for the supply of the Inhabitants of the Town and Suburbs of Parramatta," read a first time; ordered to be printed, and read a second time on Tuesday next.*
3. *Leave of Absence for one week, granted to Mr Murray, on motion of Mr. Plunkett.*
4. *Paper:—Mr. Forster laid upon the Table certain Opinions and Correspondence in reference to the rights of the Resident Judge at Moreton Bay, as a Judge of the Supreme Court.*  
 Ordered to be printed.
5. *Crown Lands Temporary Regulation Bill:—Mr. Forster moved, pursuant to Contingent Notice, That in the event of the Crown Lands' Temporary Regulation Bill passing through second reading and Committee, the third reading take precedence of all other business on Friday next.*  
 Question put and passed.
6. *Ways and Means:—On motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Ways and Means to meet the Supply granted to Her Majesty for the service of the year 1859-60.*  
 The Chairman obtained leave to sit again on Thursday next, and reported the following Resolution:—  
 (2.) *Resolved, That towards making good the Supply granted to Her Majesty, for the Supplementary Service of the Year 1859, the sum of £80,843 4s. be granted out of the Consolidated Revenue Fund of New South Wales.*  
 Mr. Samuel then moved, That this House do now adopt this Resolution.  
 Question put and passed.
7. *Paper:—Mr. Samuel laid upon the Table Estimates of the Ways and Means of the Government of New South Wales, for the year 1860.*  
 Ordered to be printed.
8. *Examination of Witnesses under Commissions Bill:—The Speaker reported that whilst the House was in Committee of Ways and Means the following Message was received from the Legislative Council:—*  
 MR. SPEAKER,  
 The Legislative Council having this day passed a Bill, intituled "*An Act to amend the Law relating to Commissions for the Examinations of Witnesses,*" presents the same to the Legislative Assembly for its concurrence.  
*Legislative Council Chamber,*  
*Sydney, 7 December, 1859.*  
 W. W. BURTON,  
 President.
9. *Crown Lands Temporary Regulation Bill:—Mr. Forster moved, That this Bill be now read a second time.*  
 Debate ensued.  
 Question put and passed.  
 Bill read a second time.  
 Mr. Forster then moved, "That" the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole for consideration thereof.  
 Mr. Plunkett moved, That the Question be amended by the omission of all the words following the word "That" at the commencement, with a view to the insertion in  
 their

their place of the words "the Committal of this Bill stand an Order of the Day for "to-morrow, with precedence over all other Business."

Debate ensued.

Proposed Amendment by leave withdrawn.

Original Question put and passed ;—

Whereupon the Speaker left the Chair, and the House resolved itself into a Committee of the whole accordingly.

And the Committee continuing to sit till after Midnight,—

*FRIDAY, 9 DECEMBER, 1859.*

The Chairman having reported the Bill with Amendments, the House adopted the same, and ordered the Bill, as so reported, to be read a third time to-morrow.

10. Deputy Chairman of Quarter Sessions Appointment Bill:—The Speaker reported, that during the Debate of the Question for the second reading of the Crown Lands Temporary Regulation Bill, the following Message was received from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill intituled, "*An Act to provide for the occasional absence of a Chairman of Quarter Sessions*," presents the same to the Legislative Assembly for its concurrence.

W. W. BURTON,  
President.

*Legislative Council Chamber,  
Sydney, 8 December, 1859.*

Bill, on motion of Mr. Forster, read a first time ;—Ordered to be printed, and read a second time to-morrow.

11. Postponements :—

(1.) The further consideration in Committee of the Certain Public Officers' Salaries Reduction Bill postponed, on motion of Mr. Forster, until to-morrow.

(2.) Mr. Cummings postponed the motion standing in his name first on the Notice Paper of Other Business for to-day, until to-morrow.

12. Secondary Punishment :—Mr. Forster moved, pursuant to amended notice, That the following Members be added to the Secondary Punishment Committee :—Mr. Flood, Mr. Wilson, Mr. Robertson, Mr. Rotton, and the Mover.

Question put and passed.

13. Postponement :—The second reading of the Newcastle Wallsend Coal Company's Railway Bill postponed, on motion of Mr. Jones, until Tuesday next.

14. Newcastle Wallsend Coal Company's Incorporation Bill, on motion of Mr. Jones, read a third time, and passed.

Mr. Jones then moved, That the Title of this Bill be "*An Act to Incorporate 'The ' Newcastle Wallsend Coal Company.'*"

Question put and passed ;—

Whereupon Mr. Jones moved, That this Bill be carried to the Legislative Council with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill intituled, "*An Act to Incorporate 'The Newcastle Wallsend Coal Company,'*" presents the same to the Legislative Council for its concurrence, accompanied by a Copy of the Report from and Minutes of Evidence taken before the Select Committee thereon.

*Legislative Assembly Chamber,  
Sydney, 9 December, 1859.*

Speaker.

Question put and passed.

15. Salary of Chief Justice during absence of Sir Alfred Stephen :—Mr. Hay moved, That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause a sum of money to be placed on the Estimates for the Service of the year 1860, equal to one year's salary of the Chief Justice of the Colony, to make provision for the performance of the duties of that office during the term of the leave of absence which Sir Alfred Stephen has applied for, and which, under all the circumstances of the case, as detailed in the papers now before it, this House thinks reasonable and just.

Debate ensued.

Motion by leave withdrawn ;—

And consideration of the Address in Committee postponed, on motion of Mr. Hay, until Tuesday next.

16. Postponement :—The consideration in Committee of the Report from the Standing Orders Committee on Proceedings in Committee of Supply postponed, on motion of Mr. Forster, until to-morrow.

The House adjourned at twenty-five minutes after Twelve o'clock, A.M., until Three o'clock, P.M., to-day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, DECEMBER 9.

## GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Crown Lands Temporary Regulation Bill; third reading.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. WILSON to move,—
  - (1.) That the export tax on gold, is a direct tax on the most important branch of Colonial industry, and being levied on a particular class, is repugnant to justice and the principles of equal taxation, and ought therefore to be repealed.
  - (2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.
2. MR. SCOTT to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board,
    - (2.) Upon the operation of the present system of Tonnage Dues; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
3. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, full copies of all papers connected with the summary dismissal of Lieutenant Seaver, R.N., from the offices of Deputy Harbour Master and Shipping Master, at Newcastle, including the report of the Board of Inquiry into the conduct of the Harbour Master's Department at that Port; of all recommendations of the Colonial Treasurer; and of all Minutes of the Executive Council with respect to the matter contained in the above Report.
4. MR. CAPE to move,—
  - (1.) That it be an instruction to the Standing Orders Committee, to consider and report upon the expediency of adopting the following as a Sessional or Standing Order, for the better regulation of Debates in this House:—
  - (2.) That no Member speaking on a Motion, made by another Member, be allowed a longer period than twenty minutes.
  - (3.) That on the presentation of Petitions no Member be allowed to speak longer than ten minutes, and in rising to speak to order, or in explanation, not longer than five minutes.
5. MR. HODGSON to move, That the Petition from Darling Downs, relative to Mr. Frederick Westmacott, presented by him on the 1st instant, be printed.
6. MR. HODGSON to move, That the Petition from Mr. William Murphy, late Assistant Lighthouse Keeper, at Newcastle, presented by him on the 18th October last, be printed.
7. MR. CUMMINGS to move,—
  - (1.) That a Select Committee be appointed to inquire and report on the condition of the Bathurst line of Road, from the West Bank of the Nepean River, to the East Bank of the Macquarie River, with power to send for persons and papers.
  - (2.) That such Committee consist of—Mr. Hawkins, Mr. Clements, Mr. Egan, Mr. Gordon, Mr. Hoskins, Mr. Parkes, Mr. Wisdom, Mr. Lord, Mr. Rotton, and the Mover.
8. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
9. MR. CLEMENTS to move, That in the opinion of this House it is desirable that a sum sufficient to defray the cost of survey of a line for Railway from Bathurst, to meet the Victoria line at Echuca, should be placed on the Estimates for 1860; and that such survey should be proceeded with as expeditiously as possible.
10. MR. MARTIN to move the following Resolutions:—
  - (1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony, any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders.
  - (2.) That this House is further of opinion that no portion of this Colony should have been separated from it and erected into a new Colony unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.
  - (3.) That inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony, lying between the 26th and 30th degrees of south latitude, petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent, by which such separation has been announced.
11. MR. DARK to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.

12. MR. GRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Return of all lands alienated by the Crown within the boundaries of the present Police District of Kiama, since the 1st of January, 1835—shewing the extent of each lot, whether Town, Suburban, or Country—together with the price realized by each—and the sum total arising from all such sales within the said District—and within the said period.
  - (2.) A Return of all sums of money expended on Public Works within the Police District of Kiama, since the 1st January, 1835.
13. DR. LANG to move, That the adjourned Debate on the Rev. Dr. Lang's motion, That the "Duration of Legislative Assemblies Limitation Bill" be now read a second time—which lapsed by the House being counted out on Friday the 2nd instant—be restored to the Paper, and stand an Order of the Day for Tuesday next.
14. DR. LANG to move,—
  - (1.) That Mr. Black, having ceased to be a Member of the Select Committee on the Presbyterian College, on his acceptance of Office and vacating his Seat in this House, be re-appointed to that Committee.
  - (2.) That Mr. Macalister and Mr. Richardson, having ceased to be Members of the said Committee, as they are no longer Members of this House, Mr. Gordon and Mr. Parkes be appointed as Members of the Presbyterian College Committee in their stead.
15. MR. ROBERTSON to move, That the Petition from Scone, relative to State Aid to Religion, presented by him on the 6th instant, be printed.
16. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all the Magistrates who have been placed in the Commission of the Peace during the present Administration, specifying the recommendations received by the Government in favor of, and the dates of their appointments.
17. DR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd September last, be now taken into consideration.
18. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
19. MR. MURRAY to move, That there be laid upon the Table of this House, a nominal Return shewing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.
20. MR. EGAN to move, That the Petition from Eden, Panbula, and Bega, relative to the spread of Thistles, presented by him on the 1st instant, be printed.
21. MR. PLUNKETT to move, That the Petition of Owen J. Caraher, relative to the business of Soap-boiling, presented by him on the 8th instant, be printed.
22. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Supplementary Estimates for 1860, the following sums:—
  - £7,000 for the construction of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst.
  - £300 for the construction of a Bridge across the Bellubulla Creek, on the main line of road from Bathurst to Nanamai.
  - £300 for the construction of a Bridge across Ugowra Creek, at or near the junction of said creek with the Lachlan River, on main road to Balranald.
  - £200 for the construction of a Bridge across the Carrawobbidy Creek, being on the main road from Nanamai to Balranald.
  - £300 for the construction of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala Gold Fields.

#### ORDERS OF THE DAY:—

1. Cattle Driving Act Amendment Bill; second reading.
2. Tanvers and Carriers Bill; second reading.
3. Capital Punishments Abolition Bill; second reading.
4. Law of Primogeniture Abolition Bill; second reading.
5. Lien on Wool Act Continuation Bill; second reading.
6. Crown Lands Sales Bill; second reading.
7. Crown Lands Occupation Bill; second reading.
8. Report of Standing Orders Committee on Proceedings in Committee of Supply; To be considered in Committee.

#### GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Deputy Chairman of Quarter Sessions Appointment Bill; second reading.
2. Certain Public Officers' Salaries Reduction Bill; To be further considered in Committee.

Questions:—

*Questions :—*

1. *MR. WISDOM to ask THE COLONIAL SECRETARY,—*  
 (1.) Whether the Deputy Master of the Mint has written to the Governor General, protesting against the Government in any way altering the Estimates of 1860 for the department of the Branch of the Royal Mint in this Colony?  
 (2.) Whether the Government consider the Branch of the Royal Mint an Imperial Institution, and not subjected to the control of the Colonial Legislature?  
 (3.) Will there be any objection to lay upon the Table of this House the Correspondence, if any, which has passed between the Deputy Master of the Mint and the Governor General, or Government, on this subject?
2. *MR. GORDON to ask THE COLONIAL SECRETARY,—*Whether the arrangements have yet been completed for establishing a District Court at Dungog; and if not, why not?
3. *MR. GORDON to ask THE MINISTER REPRESENTING THE SECRETARY FOR WORKS,—*Whether it is the intention of the present Government to extend the Telegraphic Communication from Campbelltown, or the most convenient point on the Southern line, to Wollongong, Kiama, and Shoalhaven; and if so, when the work will be commenced?
4. *MR. PARKES to ask THE COLONIAL SECRETARY,—*Whether any report has been made to the Government by the authorities of Darlinghurst Gaol, to the effect, that some few months ago a number of prisoners were unlocked at 6 A.M., or about that hour; that the turnkey, whose duty it was to take charge of these prisoners did not appear till 9 A.M., and that during his absence several of them attempted to scale the outer wall by means of a ladder found in the yard, and were only prevented by being accidentally observed by another person, not intrusted with their safe keeping. If any such occurrence took place, what course was taken in respect to the officer or officers in fault?

## TUESDAY, DECEMBER 13.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. *DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.*
2. *MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £3,450 to aid in supporting the Gold Fields' Chaplains.*
3. *MR. WILD to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the ensuing year, a sum not exceeding £300 for the re-erection of the Lock-up at Bargo.*
4. *MR. ATKINSON to move,—*  
 (1.) That a Select Committee be appointed to inquire into the management, construction, and condition, of the Southern and Northern Railways of the Colony.  
 (2.) That such Committee consist of Mr. Flood, Mr. Hay, Mr. Jones, Mr. Samuel, Mr. Scott, Mr. Irving, Mr. Rotton, Mr. Parkes, Mr. Jamison, and the Mover.

## ORDERS OF THE DAY :—

1. Resumption of the adjourned Debate on Dr. Lang's motion,—  
 " (1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.  
 " (2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
2. Revenue and Audit Bill; second reading.
3. Tolls Amendment Act Repeal Bill; second reading.
4. Parramatta Water Protection Bill; second reading.
5. Newcastle Wallsend Coal Company's Railway Bill; second reading.
6. Salary of Chief Justice during Absence of Sir Alfred Stephen; consideration in Committee of an Address for.

## GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. *MR. FORSTER to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to His Excellency the Governor General, embodying the following Resolutions :—*  
 1. That this House is of opinion that the Government of this Colony should be authorised to grant a subsidy not exceeding £9,025 per annum, for a term not exceeding fifty years, to any Company, of the stability of which satisfactory assurance shall be given, to induce such Company to construct and maintain a Submarine Telegraphic Line, by way of Torres Straits, from Moreton Bay to East Java, upon the following conditions, that is to say :—  
 (1.) That the Government of Victoria shall make arrangements with such Company, by subsidy or otherwise, for the residue, over and above the annual subsidy of this Colony, necessary for the carrying out of the work.  
 (2.) That the period within which the first call of the subscribed capital of the Company shall be made, shall be limited to twelve calendar months, from the date of the concurrence of the Colony of Victoria in the preceding condition.  
 (3.)

- (3.) That the whole work shall be completed and in effective operation within two years from the date of the first call of the subscribed capital of the Company, subject, however, to such extension of the time, to meet possible contingencies, as may hereafter be agreed upon.
- (4.) That the proposed subsidy shall commence from the date of the first call.
- (5.) That the payment of the said subsidy shall further be conditional on the maintenance of the Line in effective working order.
- (6.) That no tariff of charges shall be established without the concurrence of this Colony.
- (7.) That in the event of any dividend of the Company exceeding the rate of 12 per cent. per annum, so much of the subsidy as will reduce such dividend to the rate of 12 per cent. shall not be payable by the Government of this Colony.

2. That steps be taken without delay to communicate with, and settle the proportionate contributions of the other Colonies in aid of the respective contributions of New South Wales and Victoria.

**Question :—**

1. MR. HART to ask THE COLONIAL SECRETARY,—Under what circumstances, and at whose recommendation, was Daniel Kennedy, a hired servant of Mr. Darby, of Bundarrab, in the District of Armidale, placed in the Commission of the Peace?

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**WEDNESDAY, DECEMBER 14.**

**GOVERNMENT BUSINESS—ORDERS OF THE DAY :—**

1. Elective Legislative Council Bill ; second reading.
2. Supply ; Resumption of the Committee.

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**THURSDAY, DECEMBER 15.**

**GOVERNMENT BUSINESS—ORDER OF THE DAY :—**

1. Ways and Means ; Resumption of the Committee.

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**FRIDAY, DECEMBER 16.**

**OTHER BUSINESS—NOTICE OF MOTION :—**

1. MR. PARKES to move, That this House resolves,—
  - (1.) That there ought to be kept in the Office of the Colonial Secretary a complete and permanent record, in chronological form, of all recommendations of persons for appointment on the Commission of the Peace.
  - (2.) That such record ought to state the name and address of all persons recommending other persons for such appointment, and also their station in life if it is of a public character.

**ORDER OF THE DAY :—**

1. Primary Education Encouragement Bill ; second reading.

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**TUESDAY, DECEMBER 20.**

**Contingent Notice of Motion :—**

1. MR. HODGSON to move, as an amendment on Mr. Parkes' motion,—That there be inserted between Resolutions 4 and 5, the Resolution following :—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.

(3.)



(3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.

(4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.

(5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.

2. MR. ROBERTSON to move,—

(1.) That, in the opinion of this House, the Minister charged with the control of the Expenditure for Public Works ought to be a Member of the Legislative Assembly.

(2.) That this House particularly disapproves of the office of Minister for Public Works being held by a gentleman who has never been elected by the people to the position of a Member of Parliament.

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FRIDAY, JANUARY 6.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Importation of Cattle Regulation Bill; second reading.

DANIEL COOPER,  
*Speaker.*



No. 40.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

FRIDAY, 9 DECEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Two Similar Bills pending at the same time :—Mr. Jones, on behalf of the Chairman, laid upon the Table the Report of the Standing Orders Committee on the point of practice, in reference to two Bills pending at the same time, referred to that Committee on the 30th ultimo.  
Ordered to be printed.
2. Elections and Qualifications Committee :—Mr. Scott, as Chairman, brought up the Report from the Committee of Elections and Qualifications, in reference to the Petition of Thomas A. Perry complaining of the Election and Return of James Hart, Esquire, as Member for the Electoral District of New England, declaring that the Committee find that Mr. Hart, the Sitting Member, has been duly elected and returned as the Member for the Electoral District of New England.  
Ordered to be printed, together with the accompanying Minutes of Evidence and Proceedings.
3. Soap Manufacturers :—The Speaker having reported that the Petition received yesterday, purporting to be the Petition of Owen Joseph Caraher, does not bear the signature of the Petitioner,—  
Mr. Plunkett moved, That the Resolution for the reception of the said Petition yesterday, be now rescinded.  
Question put and passed.
4. Postponement :—The third reading of the Crown Lands Temporary Regulation Bill postponed, on motion of Mr. Forster, until the motions standing first and second on the Notice Paper of Other Business for to-day shall have been disposed of.
5. Repeal of Export Duty on Gold :—Mr. Wilson moved, pursuant to amended notice,—  
(1.) That the export tax on gold, being a direct tax on one of the most important branches of Colonial industry, and being levied on a particular class, ought to be repealed.  
(2.) That an Address be presented to His Excellency the Governor General, embodying the above resolution.  
Debate ensued.  
Mr. Plunkett moved the Previous Question.  
Debate continued.  
Previous Question by leave withdrawn.  
Debate continued.  
Original Question put and passed.
6. Postponement :—Mr. Jones postponed the motion standing in the name of Mr. Scott second on the Notice Paper of Other Business for to-day, until Tuesday next.
7. Crown Lands Temporary Regulation Bill :—Mr. Forster moved, That this Bill be now "read a third time."  
Mr. Jones moved, That the Question be amended by the omission of the words "read a third time," with a view to the insertion in their place of the word "re-committed."  
Question—That the words proposed to be omitted stand part of the Question—put and negatived.  
Question—That the word proposed to be inserted in place of the words omitted, be so inserted—put and passed.  
Question—That this Bill be now re-committed—put and passed ;  
Whereupon the Speaker left the Chair, and the House resolved itself into a Committee of the whole accordingly.  
The Chairman having reported the Bill with further amendments, and with an amended Title, the House adopted the same, and ordered the third reading of the Bill, as so amended, to stand an Order of the Day for Tuesday next, with precedence over all other business on the Paper for that day.

8. Lieutenant Seaver, R. N. :—Mr. Hodgson moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, full copies of all papers connected with the summary dismissal of Lieutenant Seaver, R. N., from the offices of Deputy Harbour Master and Shipping Master, at Newcastle, including the report of the Board of Inquiry into the conduct of the Harbour Master's Department at that Port; of all recommendations of the Colonial Treasurer; and of all Minutes of the Executive Council with respect to the matter contained in the above Report.

Debate ensued.

Question put and passed.

9. Shortening the Debates :—Mr. Cape moved, pursuant to amended notice,—

(1.) That it be an instruction to the Standing Orders Committee, to consider and report upon the expediency of adopting the following as a Sessional or Standing Order, for the better regulation of Debates in this House:—

(2.) That no Member speaking on a Motion, made by another Member, be allowed a longer period than twenty minutes.

(3.) That on moving for the printing of Petitions no Member be allowed to speak longer than ten minutes, and in rising to speak to order, or in explanation, not longer than five minutes.

Debate ensued.

Question put and negatived.

10. Mr. Frederick Westmacott :—Mr. Hodgson moved, pursuant to notice, That the Petition from Darling Downs, relative to Mr. Frederick Westmacott, presented by him on the 1st instant, be printed.

Question put and passed.

Ordered to be printed.

11. William Murphy :—Mr. Hodgson moved, pursuant to notice, That the Petition from Mr. William Murphy, late Assistant Lighthouse Keeper, at Newcastle, presented by him on the 18th October last, be printed.

Question put and passed.

Ordered to be printed.

12. Inquiry into Condition of Bathurst Road :—Mr. Cummings moved, pursuant to notice, (1.) That a Select Committee be appointed to inquire into and report on the condition of the "Bathurst" line of Road, from the West Bank of the Nepean River, to the East Bank of the "Macquarie River," with power to send for persons and papers.

(2.) That such Committee consist of—Mr. Hawkins, Mr. Clements, Mr. Egan, Mr. Gordon, Mr. Hoskins, Mr. Parkes, Mr. Wisdom, Mr. Lord, Mr. Rotton, and the Mover.

Debate ensued.

Mr. Flood moved, That the Question be amended by the omission of all the words thereof from and inclusive of the word "Bathurst," to and inclusive of the words "Macquarie River," with a view to the insertion in their place of the words "following Roads, viz. :—The Great Western Road, from Penrith to the Macquarie River; the Great South Road, from Camden to the boundary of Victoria; and the Great North Road, from Maitland to the boundary of Queensland."

Debate continued.

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

The House divided.

Ayes,\* 29.

Mr. Forster,	Mr. McArthur,
Mr. Black,	Mr. Laidlaw,
Mr. Clements,	Mr. Cummings,
Mr. Garrett,	Mr. Loder,
Mr. Wisdom,	Rev. Dr. Lang,
Mr. Wilson,	Mr. Plunkett,
Mr. Egan,	Mr. Cape,
Mr. Hurley,	Mr. Hamilton,
Mr. Ryan,	Mr. Martin,
Mr. Piddington,	Mr. Hoskins,
Mr. Parkes,	Mr. Hodgson,
Mr. Hyeronimus,	Mr. Roberts,
Mr. Rotton,	Mr. Hawkins,
Mr. Weekes,	Mr. Broughton,

} Tellers.

Whereupon Original Question put—  
The House divided.

Ayes, 33.

Mr. Forster,	Mr. Hodgson,
Mr. Black,	Mr. Robertson,
Mr. Clements,	Mr. Dickson,
Mr. Hawkins,	Mr. Byrnes,
Mr. Garrett,	Mr. Hoskins,
Mr. Egan,	Mr. Martin,
Mr. Hurley,	Mr. Cape,
Mr. Ryan,	Mr. Roberts,
Mr. Gray,	Mr. Hamilton,
Mr. Piddington,	Mr. Plunkett,
Mr. Nott,	Rev. Dr. Lang,
Mr. Parkes,	Mr. Loder,
Mr. Hyeronimus,	Mr. Broughton,
Mr. Rotton,	Mr. Cummings,
Mr. Weekes,	Mr. Wisdom,
Mr. McArthur,	Mr. Wilson,
Mr. Laidlaw,	

} Tellers.

Noes, 10.

Mr. Robertson,
Mr. Morris,
Mr. Dickson,
Mr. Byrnes,
Mr. Close,
Mr. G. Lang,
Mr. Flood,
Mr. Scott,
Mr. Wild,
Mr. Nott,

} Tellers.

Noes 6.

Mr. Wild,
Mr. Morris,
Mr. Close,
Mr. G. Lang,
Mr. Flood,
Mr. Scott,

} Tellers.

## 13. Postponements:—

- (1.) Mr. Robertson postponed the motion standing in his name eighth on the Notice Paper of Other Business for to-day, until this day fortnight.
- (2.) Mr. Clements *amended* and postponed the motion standing in his name ninth on the Notice Paper of Other Business for to-day, until Tuesday next.
- (3.) Mr. Martin postponed the motion standing in his name tenth on the Notice Paper of Other Business for to-day, until this day week.
- (4.) Mr. Hodgson postponed the motion standing in the name of Mr. Dark eleventh on the Notice Paper of Other Business for to-day, until this day week.

14. Kiama Lands and Public Works:—Mr. Gray moved, pursuant to *amended* notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—

- (1.) A Return of all lands alienated by the Crown within the boundaries of the present Police District of Kiama, since the 1st of January, 1835—shewing the quantity of land sold in each year, and the amount realized from such sales within the said District—and within the said period.
- (2.) A Return of all sums of money expended on Public Works other than roads within the Police District of Kiama, since the 1st January, 1835.

Question put and passed.

## 15. Duration of Legislative Assemblies Limitation Bill:—The Rev. Dr. Lang moved, pursuant to notice, That the adjourned Debate on his motion, That the "Duration of Legislative Assemblies Limitation Bill be now read a second time—" which lapsed by the House being counted out on Friday the 2nd instant—be restored to the Paper, and stand an Order of the Day for Tuesday next.

Question put and passed.

16. St. Andrew's College Bill:—The Revd. Dr. Lang moved, pursuant to *amended* notice,—

- (1.) That Mr. Black, having ceased to be a Member of the Select Committee on the Presbyterian College, on his acceptance of Office and vacating his Seat in this House, be re-appointed to that Committee.
- (2.) That Mr. Gordon and Mr. Parkes be appointed as Members of the Presbyterian College Committee.

Question put and passed.

## 17. State Aid to Religion:—Mr. Robertson moved, pursuant to notice, That the Petition from Scone, relative to State Aid to Religion, presented by him on the 6th instant, be printed.

Question put and passed.

Ordered to be printed.

## 18. Postponements:—

- (1.) Mr. Plunkett postponed the motion standing in the name of Mr. Murray sixteenth on the Notice Paper of Other Business for to-day, until Tuesday next.
- (2.) The Revd. Dr. Lang postponed the motion standing in his name seventeenth on the Notice Paper of Other Business for to-day, until this day week.
- (3.) Mr. Plunkett postponed the motions standing in the name of Mr. Murray eighteenth and nineteenth on the Notice Paper of Other Business for to-day, until Tuesday next.

## 19. Thistles:—Mr. Egan moved, pursuant to notice, That the Petition from Eden, Panbula, and Bega, relative to the spread of Thistles, presented by him on the 1st instant, be printed.

Question put and passed.

Ordered to be printed.

## 20. Motion Dropped:—Mr. Plunkett not moving the motion standing in his name twenty-first on the Notice Paper of Other Business for to-day, it dropped.

## 21. Postponements:—

- (1.) Mr. Cummings postponed the motion standing in his name twenty-second on the Notice Paper of Other Business for to-day, until Tuesday next.
- (2.) The second reading of the Cattle Driving Act Amendment Bill postponed, on motion of Mr. Parkes, until Friday, December 16.
- (3.) The second reading of the Tanners' and Carriers' Bill postponed, on motion of Mr. Parkes, until Tuesday next.
- (4.) The second reading of the Capital Punishments Abolition Bill postponed, on motion of Mr. Plunkett, until this day week.
- (5.) The second reading of the Law of Primogeniture Abolition Bill postponed, on motion of Mr. Plunkett, until Tuesday next.
- (6.) The second reading of the Lien on Wool Act Continuation Bill postponed, on motion of Mr. Gordon, until Tuesday next.
- (7.) The second reading of the Crown Lands Sale Bill postponed, on motion of Mr. Robertson, until Tuesday, January 3.
- (8.) The second reading of the Crown Lands Occupation Bill postponed, on motion of Mr. Robertson, until Tuesday, January 3.
- (9.) The consideration in Committee of the Report of Standing Orders Committee on Proceedings in Committee of Supply postponed, on motion of Mr. Forster, until Wednesday next.

## 22. Deputy Chairman of Quarter Sessions Appointment Bill, having been read a second time, on motion of Mr. Forster, the Speaker left the Chair, and the House resolved itself into a committee of the whole for consideration thereof.

The

The Chairman having reported the Bill without amendment, the House adopted the same, and ordered the third reading of the Bill, as so reported, to stand an order of the day for Tuesday next, with precedence next after the Crown Lands Temporary Regulation Bill.

23. **Certain Public Officers Salaries' Reduction Bill:**—On the Order of the Day being read, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for the further consideration of this Bill.

The Chairman reported no progress, and obtained leave to sit again on Wednesday next.

The House adjourned at seven minutes before Twelve o'clock, P.M., until Tuesday next at Three o'clock, P.M.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, DECEMBER 13.

### GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. **Crown Lands Temporary Regulation Bill**; third reading.
2. **Deputy Chairman of Quarter Sessions Appointment Bill**; third reading.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. **DR. LANG** to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.
2. **MR. COOPER** to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £3,450 to aid in supporting the Gold Fields' Chaplains.
3. **MR. WILD** to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the ensuing year, a sum not exceeding £300 for the re-erection of the Lock-up at Bargo.
4. **MR. ATKINSON** to move,—
  - (1.) That a Select Committee be appointed to inquire into the management, construction, and condition, of the Southern and Northern Railways of the Colony.
  - (2.) That such Committee consist of Mr. Flood, Mr. Hay, Mr. Jones, Mr. Samuel, Mr. Scott, Mr. Irving, Mr. Rotton, Mr. Parkes, Mr. Jamison, and the Mover.
5. **MR. ROBERTSON** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of the Draft Bill "to constitute an Elective Legislative Council," left by the late Ministry in the hands of the Government Printer, including both the plans for distribution of Representatives.
6. **MR. GORDON** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Papers, Plans, and Specifications relating to the contemplated Improvements at Wollongong Harbour, and in explanation of the changed amount of Expenditure provided in the Estimate submitted to the Assembly.
7. **MR. PARKES** to move, That Mr. Hoskins be added to the Committee now sitting on the Condition of Working Classes of Sydney.
8. **MR. LAIDLAW** to move, That the Petition from Gunning and Collector, relative to State Aid to Religion, presented by him on the 7th instant, be printed.
9. **MR. SCOTT** to move,—
  1. That a Select Committee be appointed to inquire into and report,—
    - (1.) Upon the expediency of establishing a Local Harbour and Pilot Board,
    - (2.) Upon the operation of the present system of Tonnage Dues; and,
    - (3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.
  2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Richardson, Mr. Wild, and the Mover.
10. **MR. CLEMENTS** to move,—
  - (1.) That in the opinion of this House, a survey of a Line for Railway from Bathurst, to meet the Victoria Line at Echuca, ought to be made at an early period of the ensuing year.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.
11. **MR. MURRAY** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all the Magistrates who have been placed in the Commission of the Peace during the present Administration, specifying the recommendations received by the Government in favor of, and the dates of their appointments.
12. **MR. MURRAY** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
13. **MR. MURRAY** to move, That there be laid upon the Table of this House, a nominal Return shewing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are

are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.

14. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Supplementary Estimates for 1860, the following sums:—

£7,000 for the construction of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst.

£300 for the construction of a Bridge across the Bellubulla Creek, on the main line of road from Bathurst to Nanamai.

£300 for the construction of a Bridge across Ugowra Creek, at or near the junction of said creek with the Lachlan River, on main road to Balranald.

£200 for the construction of a Bridge across the Carrawobbidy Creek, being on the main road from Nanamai to Balranald.

£300 for the construction of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala Gold Fields.

#### ORDERS OF THE DAY:—

1. Resumption of the adjourned Debate on Dr. Lang's motion,—  
“(1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.  
“(2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover.”
2. Revenue and Audit Bill; second reading.
3. Tolls Amendment Act Repeal Bill; second reading.
4. Parramatta Water Protection Bill; second reading.
5. Newcastle Wallsend Coal Company's Railway Bill; second reading.
6. Salary of Chief Justice during Absence of Sir Alfred Stephen; consideration in Committee of an Address for.
7. Resumption of the adjourned Debate on the Rev. Dr. Lang's motion, “That the Duration of Legislative Assemblies Limitation Bill be now read a second time.”
8. Tanners and Curriers Bill; second reading.
9. Lien on Wool Act Continuation Bill; second reading.

#### GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. FORSTER to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to His Excellency the Governor General, embodying the following Resolutions:—  
1. That this House is of opinion that the Government of this Colony should be authorised to grant a subsidy not exceeding £9,625 per annum, for a term not exceeding fifty years, to any Company, of the stability of which satisfactory assurance shall be given, to induce such Company to construct and maintain a Submarine Telegraphic Line, by way of Torres Straits, from Moreton Bay to East Java, upon the following conditions, that is to say:—  
(1.) That the Government of Victoria shall make arrangements with such Company, by subsidy or otherwise, for the residue, over and above the annual subsidy of this Colony, necessary for the carrying out of the work.  
(2.) That the period within which the first call of the subscribed capital of the Company shall be made, shall be limited to twelve calendar months, from the date of the concurrence of the Colony of Victoria in the preceding condition.  
(3.) That the whole work shall be completed and in effective operation within two years from the date of the first call of the subscribed capital of the Company, subject, however, to such extension of the time, to meet possible contingencies, as may hereafter be agreed upon.  
(4.) That the proposed subsidy shall commence from the date of the first call.  
(5.) That the payment of the said subsidy shall further be conditional on the maintenance of the Line in effective working order.  
(6.) That no tariff of charges shall be established without the concurrence of this Colony.  
(7.) That in the event of any dividend of the Company exceeding the rate of 12 per cent. per annum, so much of the subsidy as will reduce such dividend to the rate of 12 per cent shall not be payable by the Government of this Colony.  
2. That steps be taken without delay to communicate with, and settle the proportionate contributions of the other Colonies in aid of the respective contributions of New South Wales and Victoria.

#### Questions:—

1. MR. HART to ask THE COLONIAL SECRETARY,—Under what circumstances, and at whose recommendation, was Daniel Kennedy, a hired servant of Mr. Darby, of Bundarra, in the District of Armidale, placed in the Commission of the Peace?
2. MR. ROTTON to ask THE MINISTER REPRESENTING THE SECRETARY FOR WORKS,—Is that portion of the Great Western Main Trunk Road which passes through the Town of Bathurst considered to be in the charge of the Chief Commissioner of Roads; if so, is it intended to apply any portion of the Road Vote towards its repair?

3. MR. HODGSON to ask THE COLONIAL TREASURER,—  
 (1.) From what date is the Sixpence Postage to Queensland to take effect?  
 (2.) Whether, in the absence of sufficient notice, letters to and from the New Colony, insufficiently stamped, will be opened and returned to the writers?  
 (3.) Whether there will be any objection on the part of the Government to postpone any alteration at present existing in the Postage Rates between the Colonies of New South Wales and Queensland until the expiration of one month from the date of Proclamation of the New Colony?

WEDNESDAY, DECEMBER 14.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Elective Legislative Council Bill; second reading.
2. Supply; Resumption of the Committee.
3. Certain Public Officers' Salaries Reduction Bill; To be further considered in Committee.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. HODGSON to move,—  
 (1.) That, in order to meet the peculiar difficulties arising out of the separation of Queensland from the Colony of New South Wales, with respect to the existing Postage Laws, this House is of opinion that the present rates of Postage should be maintained for a period of one month from the date of the Proclamation of the New Colony.  
 (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.

ORDER OF THE DAY :—

1. Report of Standing Orders Committee on Proceedings in Committee of Supply; To be considered in Committee.

THURSDAY, DECEMBER 15.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Ways and Means; Resumption of the Committee.

FRIDAY, DECEMBER 16.

Contingent Notice of Motion :—

1. MR. HAWKINS to move (upon Mr. Parkes moving the Resolutions standing in his name first on the Notice Paper for to-day), That the following Resolutions be added :—  
 That this House resolves,—  
 (1.) That it is highly expedient that a new Commission of the Peace be issued forthwith.  
 (2.) That, after the issuing of such Commission of the Peace, no further appointments shall be made, until after the names and residences of the parties proposed to be appointed, shall have been duly notified in the *Government Gazette* for a period of two months.  
 (3.) That such notice should provide for the reception of all objections which may be made to the proposed appointments, and state the manner and form of them, and to whom they should be addressed.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move, That this House resolves,—  
 (1.) That there ought to be kept in the Office of the Colonial Secretary a complete and permanent record, in chronological form, of all recommendations of persons for appointment on the Commission of the Peace.  
 (2.) That such record ought to state the name and address of all persons recommending other persons for such appointment, and also their station in life if it is of a public character.
2. MR. MARTIN to move the following Resolutions :—  
 (1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony, any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders.  
 (2.) That this House is further of opinion that no portion of this Colony should have been separated from it and erected into a new Colony unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.  
 (3.) That inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony, lying between the 26th and 30th degrees of south latitude, petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent, by which such separation has been announced.
3. MR. DARK to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.



4. DR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd September last, be now taken into consideration.

ORDERS OF THE DAY:—

1. Primary Education Encouragement Bill; second reading.
2. Cattle Driving Act Amendment Bill; second reading.
3. Capital Punishments Abolition Bill; second reading.
4. Law of Primogeniture Abolition Bill; second reading.

Question:—

1. MR. ROTTON to ask THE COLONIAL SECRETARY,—Has the Government yet recommended His Excellency the Governor General, or if not, does it intend to recommend him, to accept the resignations tendered by certain Magistrates of Mudgee and Goulburn; if not, for what reasons?

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TUESDAY, DECEMBER 20.

Contingent Notice of Motion:—

1. MR. HODGSON to move, as an amendment on Mr. Parkes' motion,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows:—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
2. MR. ROBERTSON to move,—
  - (1.) That, in the opinion of this House, the Minister charged with the control of the Expenditure for Public Works ought to be a Member of the Legislative Assembly.
  - (2.) That this House particularly disapproves of the office of Minister for Public Works being held by a gentleman who has never been elected by the people to the position of a Member of Parliament.

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FRIDAY, DECEMBER 23.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

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TUESDAY, JANUARY 3.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Crown Lands Sales Bill; second reading.
2. Crown Lands Occupation Bill; second reading.

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FRIDAY, JANUARY 6.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Importation of Cattle Regulation Bill; second reading.

DANIEL COOPER,  
Speaker.



No. 41.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

TUESDAY, 13 DECEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Electoral Roll for New England :—The Speaker informed the House that the Attorney General had, for the ends of justice, applied to him for the Electoral Roll for New England, which had come to the hands of the Clerk,—  
And then put a Question,—That the Clerk have leave to return to the Returning Officer, seven certified (printed) copies of the Roll for the Electoral District of New England, which came to him (in a separate parcel) with the Balloting Papers used, at the late General Election, in the return of a Member to serve for the said Electoral District,—  
And a Debate arising on the point of Order, whether the application for these Papers ought not to have been made by the Colonial Secretary, as Responsible Head of the Law Department, under the new arrangement,—  
And the Speaker ruling that in his opinion the application was, in this instance, properly made by the Attorney General,—  
Question put.  
The House divided.

Ayes, 31.

Mr. Forster,	Mr. Laidlaw,	
Mr. Samuel,	Mr. Darvall,	
Mr. Black,	Mr. Flett,	
Mr. Jones,	Mr. Cooper,	
Mr. Windeyer,	Mr. Wisdom,	
Mr. Wilson,	Mr. Hoskins,	
Rev. Dr. Lang,	Mr. Hodgson,	
Mr. Jenkins,	Mr. Close,	
Mr. Parkes,	Mr. Scott,	
Mr. Morris,	Mr. Hawkins,	
Mr. Russell,	Mr. Clements,	
Mr. Piddington,	Mr. Rotton,	
Mr. Loder,	Mr. Flood,	
Mr. Mackay,	Mr. Nott,	
Mr. Robertson,	Mr. Wild,	} Tellers.
Mr. Cape,		

Noes, 5.

Mr. Pemell,	Mr. Gordon,	} Tellers.
Mr. Byrnes,	Mr. Weekes,	
Mr. Campbell,		

2. Paper :—Mr. Samuel laid upon the Table Return to the Order, in reference to Licenses and Assessment paid by Clark Irving, Esquire, made by this House, on motion of Mr. Black, on 22nd September last.  
Ordered to be printed.
3. John Moore Dillon, Esquire :—Mr. Scott presented a Petition from John Moore Dillon, late Criminal Crown Solicitor, representing that after upwards of twenty years service he ceased to hold office upon a week's notice—that a Pension has since been voted for him, but that he is desirous of having his case re-considered, and praying the House to take such course therein as to them shall seem proper.  
Petition received.
4. Soap Manufacturers :—Mr. Plunkett presented a Petition from Owen Joseph Caraher, of Gloucester-street, Sydney, Soap Manufacturer, praying the House to award to Soap Manufacturers in the City of Sydney the same measure of indulgence as they shall think it expedient to grant to the Tanners and Curriers, who lately petitioned the House.  
Petition received.
5. State Aid to Religion :—Mr. Windeyer presented a Petition from certain Members of various denominations of Christians, resident in the District of Raymond Terrace, praying the House not to consent to any proposition for the withdrawal of State Aid to Religion.  
Petition received.

6.

6. Wesley College Bill:—Mr. Byrnes, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before the Select Committee for whose consideration and report this Bill was referred, on the 12th October last.  
Ordered to be printed;—  
Whereupon, on motion of Mr. Byrnes, the second reading of this Bill ordered to stand an Order of the Day for Thursday next.
7. Papers:—Mr. Black laid upon the Table the undermentioned Papers:—  
(1.) Further Return to Addresses in reference to Lands granted to the several Religious Denominations, adopted, on motion of Mr. Forster, on 21st December, 1858, and on motion of Mr. Plunkett, on 8th February, 1859.  
(2.) Return to the Address, in reference to Lands sold in the Nowra and Good Dog Municipality, adopted, on motion of Mr. Garrett, on 7th October last.  
(3.) Return to the Address, in reference to Lands granted in the Police District of Shoalhaven, adopted, on motion of Mr. Garrett, on the 7th October last.  
Ordered to be printed.
8. State Aid to Religion:—Mr. Hodgson presented a Petition from certain members of the Church of England, and parishioners of St. John the Evangelist, Darlinghurst, praying the House to maintain the provision for Public Worship contained in the Constitution Act.  
Petition received.
9. Crown Lands Temporary Regulation Bill:—Mr. Forster moved, That this Bill be now "read a third time."  
Debate ensued.
10. Repeal of Export Duty on Gold:—The following Message from His Excellency the Governor General received and read:—  
W. DENISON, Message No. 11.  
*Governor General.*  
In reply to the Address from the Legislative Assembly, presented this day, communicating the Resolutions adopted by the House on the 9th December, with respect to the Repeal of the Export Tax on Gold,—  
The Governor General has to state, for the information of the Legislative Assembly, that the attention of the Government has been called to the character of the Act imposing the Tax, and that steps will be taken to repeal the same during the next Session of Parliament.  
*Government House,*  
12 December, 1859.
11. Crown Lands Temporary Regulation Bill:—The debate on Mr. Forster's motion, That this Bill be now "read a third time,"—interrupted by the foregoing Message,—resumed.  
Mr. Black moved, That the Question be amended by the omission of the words "read a third time," with a view to the insertion in their place of the word "re-committed."  
Debate continued.  
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.  
Question,—That the word proposed to be inserted in place of the words omitted, be so inserted,—put and passed.  
Question,—That this Bill be now re-committed,—put and passed;—  
Whereupon the Speaker left the Chair, and the House resolved itself into a Committee of the whole accordingly.  
The Chairman having reported the Bill with further amendments, the House adopted the same, and ordered the third reading of the Bill, as so reported, to stand an Order of the Day after the Motions on the Notice Paper of Other Business for to-day shall have been disposed of.
12. Deputy Chairman of Quarter Sessions Appointment Bill, on motion of Mr. Forster, read a third time, and passed.  
Mr. Forster then moved, That the Title of this Bill be, "*An Act to provide for the Occasional Absence of a Chairman of Quarter Sessions.*"  
Question put and passed;—  
Whereupon Mr. Forster moved, That this Bill be carried to the Legislative Council, with the following Message:—  
MR. PRESIDENT,  
The Legislative Assembly having this day agreed to the Bill intituled, "*An Act to provide for the Occasional Absence of a Chairman of Quarter Sessions,*" returns the same to the Legislative Council without Amendment.  
*Legislative Assembly Chamber,*  
Sydney, 13 December, 1859. Speaker.
- Question put and passed.
13. Postponement:—Mr. Lang postponed the motion standing in the name of the Rev. Dr. Lang first on the Notice Paper of Other Business for to-day, until this day fortnight.
14. Support of Chaplains at the Gold Fields:—Mr. Cooper moved, pursuant to notice, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £3,450 to aid in supporting the Gold Fields' Chaplains.  
Debate ensued.

Motion

Motion made by the Rev. Dr. Lang, and Question,—That this Debate be now adjourned until this day week—put and negatived.

Debate continued.

Original Question put.

The House divided.

Ayes, 23.

Mr. Plunkett,	Mr. Close,	
Mr. Hawkins,	Mr. Roberts,	
Mr. Wild,	Mr. Darvall,	
Mr. Hodgson,	Mr. Russell,	
Mr. Clements,	Mr. Cummings,	
Mr. Ryan,	Mr. Campbell,	
Mr. Hurley,	Mr. Hoskins,	
Mr. Egan,	Mr. Hart,	
Mr. Hyeronimus,	Mr. Cooper,	} Tellers.
Mr. Loder,		
Mr. Cape,		
Mr. Martin,		
Mr. Laidlaw,		
Mr. Jenkins,		

Noes, 28.

Mr. Morris,	Mr. Hamilton,	
Mr. Black,	Mr. Forster,	
Mr. Samuel,	Mr. Flett,	
Mr. Parkes,	Mr. Sayers,	
Mr. Dickson,	Mr. Piddington,	
Mr. Asher,	Mr. Windoyer,	
Mr. Weekes,	Mr. Scott,	
Mr. Gordon,	Mr. Gray,	
Mr. Byrnes,	Mr. Oakes,	
Mr. Laycock,	Mr. Jones,	
Mr. Dalley,	Mr. Robertson,	
Mr. Atkinson,	Rev. Dr. Lang,	
Mr. Rotton,	Mr. McArthur,	} Tellers.
Mr. Flood,	Mr. Nott,	

15. Lock-up at Bargo:—Mr. Wild moved, pursuant to notice, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the ensuing year, a sum not exceeding £300 for the re-erection of the Lock-up at Bargo.

Debate ensued.

Motion by leave withdrawn.

16. Railway Management:—Mr. Atkinson moved, pursuant to notice,—

(1.) That a Select Committee be appointed to inquire into the management, construction, and condition of the Southern and Northern Railways of the Colony.

(2.) That such Committee consist of Mr. Flood, Mr. Hay, Mr. Jones, Mr. Samuel, Mr. Scott, Mr. Irving, Mr. Rotton, Mr. Parkes, Mr. Jamison, and the Mover.

Question put and passed.

17. Constitution of Legislative Council:—Mr. Robertson moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of the Draft Bill "to constitute an Elective Legislative Council," left by the late Ministry in the hands of the Government Printer, including both the plans for distribution of Representatives.

Debate ensued.

Question put and passed.

18. Improvements at Wollongong Harbour:—Mr. Gordon moved, pursuant to notice,—That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Papers, Plans, and Specifications relating to the contemplated Improvements at Wollongong Harbour, and in explanation of the changed amount of Expenditure provided in the Estimate submitted to the Assembly.

And the House continuing to sit till after Midnight,

WEDNESDAY, 14 DECEMBER, 1859.

Debate ensued.

Question put and passed.

19. Condition of the Working Classes of Sydney:—Mr. Parkes moved, pursuant to notice,—That Mr. Hoskins be added to the Committee now sitting on the Condition of Working Classes of Sydney.

Question put and passed.

20. State Aid to Religion:—Mr. Laidlaw moved, pursuant to notice, That the Petition from Gunning and Collector, relative to State Aid to Religion, presented by him on the 7th instant, be printed.

Question put and passed.

Ordered to be printed.

21. Port of Newcastle:—Mr. Scott moved, pursuant to amended notice,—

1. That a Select Committee be appointed to inquire into and report,—

(1.) Upon the expediency of establishing a Local Harbour and Pilot Board;

(2.) Upon the operation of the present system of Tonnage Dues; and,

(3.) Upon the necessity of affording immediate accommodation for the shipment of coal and other minerals—at the Port of Newcastle.

2. That such Committee consist of Mr. Hodgson, Mr. Arnold, Mr. Laidlaw, Mr. Atkinson, Mr. Dickson, Mr. Parkes, Mr. Close, Mr. Wild, Mr. Windoyer, and the Mover.

Question put and passed.

22. Postponements:—

(1.) Mr. Piddington postponed the motion standing in the name of Mr. Clements tenth on the Notice Paper of Other Business for to-day, until this day week.

(2.) Mr. Plunkett postponed the motions standing in the name of Mr. Murray eleventh, twelfth, and thirteenth on the Notice Paper of Other Business for to-day, until Friday next.

(3.) Mr. Cummings postponed the motion standing in his name fourteenth on the Notice Paper of Other Business for to-day, until Friday next.

23. Crown Lands Temporary Regulation Bill, on motion of Mr. Forster, read a third time, and passed.

Mr. Forster then moved, That the Title of this Bill be "*An Act to include the Intermediate within the Settled Districts.*"

Question put and passed ;—

Whereupon Mr. Forster moved, That this Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to include the Intermediate within the Settled Districts,*" presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,*

*Sydney, 14 December, 1859.*

Speaker.

Question put and passed.

24. Postponements :—

(1.) The Resumption of the adjourned Debate on Dr. Lang's motion,—

"(1) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the amendment of the Moreton Bay Immigration and Land Company's Act.

"(2.) That such Committee consist of the following Members, viz. :—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett; Mr. Rotton, Mr. Laycock, and the Mover,"—postponed, on motion of Dr. Lang, until Friday next.

(2.) The second reading of the Revenue and Audit Bill postponed, on motion of Mr. Morris, until Friday, December 28.

(3.) The second reading of the Tolls Amendment Act Repeal Bill postponed, on motion of Mr. Robertson, until this day week.

(4.) The second reading of the Parramatta Water Protection Bill postponed, on motion of Mr. Byrnes, until Friday, December 28.

(5.) The second reading of the Newcastle Wallsend Coal Company's Railway Bill postponed, on motion of Mr. Jones, until Thursday next.

(6.) The consideration in Committee of an Address for Salary of Chief Justice during absence of Sir Alfred Stephen, postponed, on motion of Mr. Piddington, until to-morrow.

(7.) The resumption of the adjourned Debate on the Revd. Dr. Lang's motion,— "That the Duration of Legislative Assemblies Limitation Bill be now read a second time,"—upon which Mr. Piddington had moved the Previous Question,—postponed, on motion of the Revd. Dr. Lang, until Tuesday next.

(8.) The second reading of the Tanners and Curriers Bill postponed, on motion of Mr. Parkes, until Friday next.

(9.) The second reading of the Lien on Wool Act Continuation Bill postponed, on motion of Mr. Gordon, until Tuesday next.

(10.) Mr. Forster postponed the motion standing in his name on the Notice Paper of Government Business for to day, until to-morrow.

The House adjourned at half-past Twelve o'clock a.m., until Three o'clock, p.m. to day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, DECEMBER 14.

### GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. FORSTER to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to His Excellency the Governor General, embodying the following Resolutions :—
  1. That this House is of opinion that the Government of this Colony should be authorised to grant a subsidy not exceeding £9,625 per annum, for a term not exceeding fifty years, to any Company, of the stability of which satisfactory assurance shall be given, to induce such Company to construct and maintain a Submarine Telegraphic Line, by way of Torres Straits, from Moreton Bay to East Java, upon the following conditions, that is to say :—
    - (1.) That the Government of Victoria shall make arrangements with such Company, by subsidy or otherwise, for the residue, over and above the annual subsidy of this Colony, necessary for the carrying out of the work.
    - (2.) That the period within which the first call of the subscribed capital of the Company shall be made, shall be limited to twelve calendar months, from the date of the concurrence of the Colony of Victoria in the preceding condition.
    - (3.) That the whole work shall be completed and in effective operation within two years from the date of the first call of the subscribed capital of the Company, subject, however, to such extension of the time, to meet possible contingencies, as may hereafter be agreed upon.
    - (4.) That the proposed subsidy shall commence from the date of the first call.
    - (5.) That the payment of the said subsidy shall further be conditional on the maintenance of the Line in effective working order.

(6.)

(6.) That no tariff of charges shall be established without the concurrence of this Colony.

(7.) That in the event of any dividend of the Company exceeding the rate of 12 per cent. per annum, so much of the subsidy as will reduce such dividend to the rate of 12 per cent. shall not be payable by the Government of this Colony.

2. That steps be taken without delay to communicate with, and settle the proportionate contributions of the other Colonies in aid of the respective contributions of New South Wales and Victoria.

ORDERS OF THE DAY :—

1. Elective Legislative Council Bill ; second reading.
2. Supply ; Resumption of the Committee.
3. Certain Public Officers' Salaries Reduction Bill ; To be further considered in Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HODGSON to move,—  
(1.) That, in order to meet the peculiar difficulties arising out of the separation of Queensland from the Colony of New South Wales, with respect to the existing Postage Laws, this House is of opinion that the present rates of Postage should be maintained for a period of one month from the date of the Proclamation of the New Colony.  
(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.
2. MR. SCOTT to move, That the Petition of John Moore Dillon, Esq., late Criminal Crown Solicitor, presented by him on the 13th instant, be printed.
3. MR. HOSKINS to move, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the ensuing year the sum of £3,000, as a Reward Fund for the discovery of new "Gold Fields."
4. MR. WINDEYER to move, That the Petition from Raymond Terrace, relative to State Aid to Religion, presented by him on the 13th instant, be printed.
5. MR. HODGSON to move, That the Petition of certain Parishioners of St. John the Evangelist, Darlinghurst, relative to State Aid to Religion, presented by him on the 13th instant, be printed.
6. MR. BYRNES to move for leave to introduce a Bill to extend the provisions of the 11th Victoria No. 11.

ORDERS OF THE DAY :—

1. Report of Standing Orders Committee on Proceedings in Committee of Supply ; To be considered in Committee.
2. Salary of Chief Justice during Absence of Sir Alfred Stephen ; consideration in Committee of an Address for.

Questions :—

1. MR. ROBERTSON to ask THE COLONIAL SECRETARY,—The number of Officers connected with the management of the Great Southern Road that have been dismissed for drunkenness, or for incapacity, since the advent to office of the present Government, and that the classes of such officers may be stated, as well as the dates of their respective appointments ?
2. MR. HAWKINS to ask THE COLONIAL SECRETARY,—Whether the Government contemplate the introduction of any measure which will have the effect of altering the present state of the Law respecting compensation to parties suffering from Railway Accidents ?
3. DR. LANG to ask THE MINISTER REPRESENTING THE SECRETARY FOR WORKS IN THIS HOUSE,—Why the Railway Authorities do not call for Tenders for the conveyance of materiel and goods to and from the Railway Terminus in and around Sydney ?
4. MR. LODER to ask THE COLONIAL SECRETARY,—If the dangerous and usual practice of shooting cattle in the skirts of Sydney is legal ; and, if not, why it is permitted ?

THURSDAY, DECEMBER 15.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Ways and Means ; Resumption of the Committee.

OTHER BUSINESS—ORDERS OF THE DAY.

1. Wesley College Bill ; second reading.
2. Newcastle Wallsend Coal Company's Railway Bill ; second reading.

FRIDAY, DECEMBER 16.

Contingent Notice of Motion :—

1. MR. HAWKINS to move (upon Mr. Parkes moving the Resolutions standing in his name first on the Notice Paper for to-day), That the following Resolutions be added :—  
That this House resolves,—  
(1.) That it is highly expedient that a new Commission of the Peace be issued forthwith.  
(2.) That, after the issuing of such Commission of the Peace, no further appointments shall

shall be made, until after the names and residences of the parties proposed to be appointed, shall have been duly notified in the *Government Gazette* for a period of two months.

(3.) That such notice should provide for the reception of all objections which may be made to the proposed appointments, and state the manner and form of them, and to whom they should be addressed.

**OTHER BUSINESS—NOTICES OF MOTION:—**

1. MR. PARKES to move, That this House resolves,—
  - (1.) That there ought to be kept in the Office of the Colonial Secretary a complete and permanent record, in chronological form, of all recommendations of persons for appointment on the Commission of the Peace.
  - (2.) That such record ought to state the name and address of all persons recommending other persons for such appointment, and also their station in life if it is of a public character.
2. MR. MARTIN to move the following Resolutions:—
  - (1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony, any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders
  - (2.) That this House is further of opinion that no portion of this Colony should have been separated from it and erected into a new Colony unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.
  - (3.) That inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony, lying between the 26th and 30th degrees of south latitude, petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent, by which such separation has been announced.
3. MR. DANK to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Pump at Clarence Town.
4. MR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd September last, be now taken into consideration.
5. MR. JENKINS to move, That a Petition from some 959 Citizens of Sydney, presented by Mr. Thornton on 6th April, 1859, praying a Commission of Inquiry into the operation of the City Sewerage Act of 1853, be printed, and referred to the Select Committee appointed to inquire into the working of the Sydney Corporation.
6. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all the Magistrates who have been placed in the Commission of the Peace during the present Administration, specifying the recommendations received by the Government in favor of, and the dates of their appointments.
7. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
8. MR. MURRAY to move, That there be laid upon the Table of this House, a nominal Return showing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.
9. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Supplementary Estimates for 1860, the following sums:—
  - £7,000 for the construction of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst.
  - £300 for the construction of a Bridge across the Bellubulla Creek, on the main line of road from Bathurst to Nanamai.
  - £300 for the construction of a Bridge across Ugowra Creek, at or near the junction of said creek with the Lachlan River, on main road to Balranald.
  - £200 for the construction of a Bridge across the Carrawobbidy Creek, being on the main road from Nanamai to Balranald.
  - £300 for the construction of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala Gold Fields.

**ORDERS OF THE DAY:—**

1. Primary Education Encouragement Bill; second reading.
2. Cattle Driving Act Amendment Bill; second reading.
3. Capital Punishments Abolition Bill; second reading.
4. Law of Primogeniture Abolition Bill; second reading.



5. Resumption of the adjourned Debate on Dr. Lang's motion,—  
 " (1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.  
 " (2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
6. *Tanners and Carriers Bill*; second reading.

*Questions :—*

1. MR. ROTTON to ask THE COLONIAL SECRETARY,—Has the Government yet recommended His Excellency the Governor-General, or if not, does it intend to recommend him, to accept the resignations tendered by certain Magistrates of Mudgee and Goulburn; if not, for what reasons?
2. MR. GORDON to ask THE COLONIAL SECRETARY,—The reasons why there has not yet been a District Court held at Dungog, in accordance with the Proclamation of His Excellency the Governor-General, published in the *Government Gazette* of the 4th March last?
3. MR. JENKINS to ask THE COLONIAL SECRETARY,—If it is the intention of the Government to take immediate steps to relieve the present overcrowded state of the Benevolent Asylum, Sydney, and at the same time to place the children in that institution in a more advantageous position than they are at present, by the acceptance of the offer which it is understood has been made both to the present and last Governments, by the Directors of the Destitute Children's Asylum, Randwick, to take charge of all Pauper Children between the ages of three and ten years?

TUESDAY, DECEMBER 20.

*Contingent Notice of Motion :—*

1. MR. HODGSON to move, as an amendment on Mr. Parkes' motion,—That there be inserted between Resolutions 4 and 5, the Resolution following :—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—  
 (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.  
 (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.  
 (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.  
 (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.  
 (5.) That the foregoing resolutions be conveyed in an Address to the Governor-General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
2. MR. ROBERTSON to move,—  
 (1.) That, in the opinion of this House, the Minister charged with the control of the Expenditure for Public Works ought to be a Member of the Legislative Assembly.  
 (2.) That this House particularly disapproves of the office of Minister for Public Works being held by a gentleman who has never been elected by the people to the position of a Member of Parliament.
3. MR. COOPER to move, That an Address be presented to the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—  
 (1.) A copy of the Warehousekeeper's list of deficiencies lately discovered in the Bonded Warehouses in Sydney.  
 (2.) A copy of the Collector's Report on these deficiencies.  
 (3.) A copy of correspondence between the Collector and any Bonded Warehousekeeper as to deficiencies in Teas imported in 1856.  
 (4.) Copies of documents shewing the alterations which were made in the weights of the Teas after landing.  
 (5.) The amount of duty paid in 1856 on Teas imported by the ship "Hirondelle" in that year.  
 (6.) The date when the duty on the Teas per "Hirondelle" were paid.

4. MR. SCOTT to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates of Expenditure for this year, a sum of £3,236 10s. 3d., to be paid to Mr. John Moore Dillon, the late Criminal Crown Solicitor, in lieu of Pension for loss of Office.
5. MR. CAPE to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Additional Estimates for 1860, the sum of £200 for a Wharf and its approaches at Gosford, for steamers and vessels in the timber trade; also, the sum of £100 for a Wharf and its approaches, at Mangrove, on the Hawkesbury River.
6. MR. CLEMENTS to move,—
  - (1.) That in the opinion of this House, a survey of a Line for Railway from Bathurst, to meet the Victoria Line at Echuca, ought to be made at an early period of the ensuing year.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.

ORDERS OF THE DAY :—

1. Tolls Amendment Act Repeal Bill; second reading.
2. Resumption of the adjourned Debate on the Rev. Dr. Lang's motion, "That the Duration " of Legislative Assemblies Limitation Bill be now read a second time."—upon which Mr. Piddington had moved the Previous Question.
3. Lien on Wool Act Continuation Bill; second reading.

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FRIDAY, DECEMBER 23.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

ORDERS OF THE DAY :—

1. Revenue and Audit Bill; second reading.
2. Parramatta Water Protection Bill; second reading.

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TUESDAY, DECEMBER 27.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.

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TUESDAY, JANUARY 3.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Crown Lands Sales Bill; second reading.
2. Crown Lands Occupation Bill; second reading.

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FRIDAY, JANUARY 6.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Importation of Cattle Regulation Bill; second reading.

DANIEL COOPER,  
*Speaker.*

No. 42.

## VOTES AND PROCEEDINGS

### OF THE

# LEGISLATIVE ASSEMBLY.

WEDNESDAY, 14 DECEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Hunter River Tonnage Dues:—Mr. Hodgson presented a Petition from George Tully, Chairman of the Newcastle Chamber of Commerce, praying the repeal of the Act 19 Vict., No. 25, which imposes certain Tonnage Dues on the Trade of Newcastle and the Hunter generally.  
 Petition received.
  2. Submarine Telegraphic Communication with United Kingdom:—Mr. Forster moved, pursuant to notice, "That" this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to His Excellency the Governor General, embodying the following "Resolutions":—
    1. That this House is of opinion that the Government of this Colony should be authorised to grant a subsidy not exceeding £9,625 per annum, for a term not exceeding fifty years, to any Company, of the stability of which satisfactory assurance shall be given, to induce such Company to construct and maintain a Submarine Telegraphic Line, by way of Torres Straits, from Moreton Bay to East Java, upon the following conditions, that is to say:—
      - (1.) That the Government of Victoria shall make arrangements with such Company, by subsidy or otherwise, for the residue, over and above the annual subsidy of this Colony, necessary for the carrying out of the work.
      - (2.) That the period within which the first call of the subscribed capital of the Company shall be made, shall be limited to twelve calendar months, from the date of the concurrence of the Colony of Victoria in the preceding condition.
      - (3.) That the whole work shall be completed and in effective operation within two years from the date of the first call of the subscribed capital of the Company, subject, however, to such extension of the time, to meet possible contingencies, as may hereafter be agreed upon.
      - (4.) That the proposed subsidy shall commence from the date of the first call.
      - (5.) That the payment of the said subsidy shall further be conditional on the maintenance of the Line in effective working order.
      - (6.) That no tariff of charges shall be established without the concurrence of this Colony.
      - (7.) That in the event of any dividend of the Company exceeding the rate of 12 per cent. per annum, so much of the subsidy as will reduce such dividend to the rate of 12 per cent shall not be payable by the Government of this Colony.
    2. That steps be taken without delay to communicate with, and settle the proportionate contributions of the other Colonies in aid of the respective contributions of New South Wales and Victoria.
- Debate ensued.
- Mr. Rotton moved, That the Question be amended by the omission of all the words thereof following the word "That," at the commencement, to and inclusive of the word "Resolutions," in the fourth line, with a view to the insertion in their place of the words "it be referred to a Select Committee, consisting of Mr. Flood, Mr. Hay, Mr. Jones, Dr. Lang, Mr. Parkes, Mr. Robertson, Mr. Samuel, Mr. Scott, Mr. Weekes, and the Mover, to take evidence and report, at the earliest period practicable, upon the subject of Telegraphic Communication between the Australian Colonies"

"Colonies and the United Kingdom, and that to this Committee be referred the Resolutions following:—"

Debate continued.

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

The House divided.

Ayes, 30.

Mr. Forster,	Mr. Hoskins,
Mr. Black,	Mr. Wild,
Mr. Samuel,	Mr. Pencil,
Mr. Loder,	Mr. Parkes,
Mr. Russell,	Mr. Scott,
Mr. Piddington,	Mr. Hurley,
Mr. Wislum,	Mr. Wilson,
Mr. Asher,	Mr. McArthur,
Mr. Cummins,	Mr. Cape,
Mr. Muelcay,	Mr. Hay,
Mr. Morris,	Mr. Nott,
Mr. Laidlaw,	Mr. Clements,
Mr. Laycock,	Mr. Plunkett,
Mr. Flett,	Mr. Lyons,
Mr. Gordon,	Mr. Windeyer,

Noes, 11.

Mr. Robertson,	Mr. Jones,	} Tellers.
Mr. Dickson,	Mr. Oakes,	
Mr. Arnold,	Mr. Rotton,	
Mr. Garrett,	Mr. Weekes,	
Mr. G. Lang,	Mr. Dalley,	
Mr. Gray,		

Whereupon Original Question put and passed.

3. Proposed Exchange of a portion of the Scots' Church Allotment :—Mr. Hay presented a Petition from the Moderator and Clerk of the Synod of Australia, praying the House to refuse its sanction to the introduction of the proposed Bill to effect an exchange of a portion of the Scots' Church Allotment.  
Petition received.
4. Proceedings of Synod of Australia in 1842 :—Mr. Murray presented a Petition from certain persons praying the House to refuse the appointment of any Committee of Inquiry into the proceedings of the Synod of Australia in the year 1842.  
Petition received.
5. Edward Chalton Madgwick :—Mr. Murray presented a Petition from Edward Chalton Madgwick, complaining of the proceedings of a Select Committee of this House in reference to his trial on a charge of perjury of which he was acquitted, and praying redress.  
Petition received.
6. Public Education Bill :—Mr. Murray presented a Petition from certain Inhabitants of Taralga, praying that this Bill (already discharged from the Paper) may not be passed.  
Petition received.
7. Attendance of Members of Legislative Council :—  
(1.) Mr. Murray moved, without previous notice, That the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee to inquire into the present state of the University of Sydney, and that Committee being desirous to examine the Honorable Francis Lewis Shaw Merewether, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.

*Legislative Assembly Chamber,  
Sydney, 14 December, 1859.*

Speaker.

Question put and passed.

(2.) Mr. Murray moved, without previous notice, That the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee to inquire into the present state of the University of Sydney, and that Committee being desirous to examine the Honorable John Macfarlane, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.

*Legislative Assembly Chamber,  
Sydney, 14 December, 1859.*

Speaker.

Question put and passed.

8. Postponement :—The second reading of the Elective Legislative Council Bill postponed, on motion of Mr. Forster, until to-morrow.
9. Supply :—Upon a motion being offered by Mr. Samuel, That the Speaker do now leave the Chair and the House resolve itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty for the service of the year 1859-60;—  
Mr. Parkes moved, That this House is of opinion that the introduction, by the Government, of a Bill to regulate the sale and occupation of the Public Lands, ought to precede the consideration of the Estimates of Expenditure for 1860.  
Debate ensued.  
Question put.

The

The House divided,—

Ayes, 10.

Mr. Robertson,  
Mr. Gordon,  
Mr. Wisdom,  
Mr. Hoskins,  
Mr. Parkes,  
Mr. Weekes,  
Mr. Oakes,  
Mr. Scott,  
Mr. Windeyer, } Tellers.  
Mr. Dalley.

Noes, 35.

Mr. Forster, Mr. Cummings.  
Mr. Morris, Mr. Plunkett,  
Mr. Hawkins, Mr. Macleay,  
Mr. Samuel, Mr. Close,  
Mr. Lyons, Mr. Wilson,  
Mr. Dickson, Mr. Pennell,  
Mr. Clements, Mr. Piddington,  
Mr. Black, Mr. Wild,  
Mr. Hamilton, Mr. Flett,  
Mr. Laidlaw, Mr. Laycock,  
Mr. Hart, Mr. Gray,  
Mr. Roberts, Mr. Jones,  
Mr. Hay, Mr. Rotton,  
Mr. Hurley, Rev. Dr. Lang.  
Mr. Hieronimus, Mr. Russell,  
Mr. Murray, Mr. Nott, } Tellers.  
Mr. Loder, Mr. McArthur.  
Mr. Garrett,

Question,—That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole, further to consider the supply to be granted to Her Majesty for the service of the year 1859-60—put and passed ;—  
Whereupon the Speaker left the Chair, and the House resolved itself into a Committee of the whole accordingly.

And the Committee continuing to sit till after midnight,—

THURSDAY, 15 DECEMBER, 1859.

The Chairman reported progress, and obtained leave to sit again at a later hour to-day.

10. Postponements :—

(1.) The further consideration in Committee of the Certain Public Officers' Salaries Reduction Bill postponed, on motion of Mr. Forster, until a later hour to-day.

(2.) Mr. Loder postponed the motion standing in the name of Mr. Hodgson first on the Notice Paper of Other Business for to-day, until Friday next.

11. John Moore Dillon, Esquire :—Mr. Scott moved, pursuant to notice,—That the Petition of John Moore Dillon, Esq., late Criminal Crown Solicitor, presented by him on the 13th instant, be printed.

Question put and passed.

Ordered to be printed.

12. Postponement :—Mr. Hoskins postponed the motion standing in his name third on the Notice Paper of Other Business for to-day, until Friday, December 23.

13. State Aid to Religion :—

(1.) Mr. Windeyer moved, pursuant to notice,—That the Petition from Raymond Terrace, relative to State Aid to Religion, presented by him on the 13th instant, be printed.

Question put and passed.

Ordered to be printed.

(2.) Mr. Loder moved, pursuant to notice given by Mr. Hodgson, That the Petition of certain Parishioners of St. John the Evangelist, Darlinghurst, relative to State Aid to Religion, presented by Mr. Hodgson on the 13th instant, be printed.

Question put and passed.

Ordered to be printed.

14. Postponements :—

(1.) Mr. Oakes postponed the motion standing in the name of Mr. Byrnes sixth on the Notice Paper of Other Business for to-day, until a later hour to-day.

(2.) The consideration in Committee of the Report of Standing Orders Committee on Proceedings in Committee of Supply, postponed, on motion of Mr. Forster, until a later hour to-day.

(3.) The consideration in Committee of an Address for Salary of Chief Justice, during absence of Sir Alfred Stephen, postponed, on motion of Mr. Hay, until a later hour to-day.

The House adjourned at twelve minutes after Twelve o'clock, a.m., until Three o'clock, p.m., to-day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, DECEMBER 15.

### GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. Mr. SAMUEL to move for leave to bring in a Bill to enable the Government to raise a certain loan to pay off Debentures falling due in 1860.
2. Mr. FORSTER to move for leave to bring in a Bill to continue an Act intituled "*An Act to regulate the carrying of Fire Arms, and other offensive weapons.*"
3. Mr. FORSTER to move, That the Standing Orders be suspended in so far as will permit of the passing through all its stages, to-day, of a Bill to continue "*An Act to regulate the carrying of Fire Arms, and other offensive weapons.*"

ORDERS

## ORDERS OF THE DAY :—

1. Ways and Means ; Resumption of the Committee.
2. Telegraphic Communication with United Kingdom ; Consideration in Committee of Address for Subsidy towards.
3. Elective Legislative Council Bill ; second reading.
4. Supply ; Resumption of the Committee.
5. Certain Public Officers' Salaries Reduction Bill ; To be further considered in Committee.

## OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. BYRNES to move for leave to introduce a Bill to extend the provisions of the 11th Victoria No. 11.

## ORDERS OF THE DAY :—

1. Wesley College Bill ; second reading.
2. Newcastle Wallsend Coal Company's Railway Bill ; second reading.
3. Report of Standing Orders Committee on Proceedings in Committee of Supply ; To be considered in Committee.
4. Salary of Chief Justice during Absence of Sir Alfred Stephen ; consideration in Committee of an Address for.

## Questions :—

1. MR. CLEMENTS to ask THE COLONIAL SECRETARY,—  
(1.) Has the Government at any time sanctioned the employment of Mr. W. B. Ryder to make Surveys of Runs or of Lands for sale in the Unsettled Districts ?  
(2.) Does the Government acknowledge such Surveys made by him as of any authority ?
2. MR. ARNOLD to ask THE MINISTER RESPONSIBLE FOR THE LEGAL DEPARTMENT OF THE GOVERNMENT,—Whether it is the intention of the Government to make any provision for the immediate compilation, in a convenient form, of the Acts and Ordinances of the Parliament of New South Wales ?

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FRIDAY, DECEMBER 16.

## Contingent Notice of Motion :—

1. MR. HAWKINS to move (upon Mr. Parkes moving the Resolutions standing in his name first on the Notice Paper for to-day), That the following Resolutions be added :—  
That this House resolves,—  
(1.) That it is highly expedient that a new Commission of the Peace be issued forthwith.  
(2.) That, after the issuing of such Commission of the Peace, no further appointments shall be made, until after the names and residences of the parties proposed to be appointed, shall have been duly notified in the *Government Gazette* for a period of two months.  
(3.) That such notice should provide for the reception of all objections which may be made to the proposed appointments, and state the manner and form of them, and to whom they should be addressed.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move, That this House resolves,—  
(1.) That there ought to be kept in the Office of the Colonial Secretary a complete and permanent record, in chronological form, of all recommendations of persons for appointment on the Commission of the Peace.  
(2.) That such record ought to state the name and address of all persons recommending other persons for such appointment, and also their station in life if it is of a public character.
2. MR. MARTIN to move the following Resolutions :—  
(1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony, any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders.  
(2.) That this House is further of opinion that no portion of this Colony should have been separated from it and erected into a new Colony unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.  
(3.) That inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony, lying between the 26th and 30th degrees of south latitude, petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent, by which such separation has been announced.
3. MR. DARK to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.

4. DR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd September last, be now taken into consideration.
5. MR. JENKINS to move, That a Petition from some 959 Citizens of Sydney, presented by Mr. Thornton on 6th April, 1859, praying a Commission of Inquiry into the operation of the City Sewerage Act of 1853, be printed, and referred to the Select Committee appointed to inquire into the working of the Sydney Corporation.
6. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all the Magistrates who have been placed in the Commission of the Peace during the present Administration, specifying the recommendations received by the Government in favor of, and the dates of their appointments.
7. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
8. MR. MURRAY to move, That there be laid upon the Table of this House, a nominal Return shewing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.
9. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Supplementary Estimates for 1860, the following sums:—
  - £7,000 for the construction of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst.
  - £300 for the construction of a Bridge across the Bellubulla Creek, on the main line of road from Bathurst to Nanamai.
  - £300 for the construction of a Bridge across Ugowra Creek, at or near the junction of said creek with the Lachlan River, on main road to Balranald.
  - £200 for the construction of a Bridge across the Carrawobiddy Creek, being on the main road from Nanamai to Balranald.
  - £300 for the construction of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala Gold Fields.
10. MR. PLUNKETT to move, That the Petition of Owen J. Caraher, relative to Soap Manufacturers, presented by him on the 13th instant, be printed.
11. MR. CLOSS to move, That it be an Instruction to the Select Committee on the Port of Newcastle, to inquire and report whether the strength of the Staff of the Customs Department at Newcastle is sufficient to prevent smuggling, and is adequate to carry out the duties otherwise required of the Department.
12. MR. HODGSON to move, That the Petition of the Newcastle Chamber of Commerce, relative to the Abolition of the Tonnage Dues levied at the Port of Newcastle, presented by him on the 14th instant, be printed, and referred to the Select Committee on the Port of Newcastle.
13. MR. HAY to move, That the Petition from the Moderator and Clerk of the Synod of Australia, relative to the proposed exchange of a portion of the Scots' Church Allotment, presented by him on the 14th instant, be printed.
14. MR. MURRAY to move, That the Petition relative to the Proceedings of the Synod of Australia, in 1842, presented by him on the 14th instant, be printed.
15. MR. MURRAY to move, That the Petition of Edward Chalton Madgwick, presented by him on the 14th instant, be printed.
16. MR. MURRAY to move, That the following Members be added to the Select Committee upon Church and School Lands, viz :—Mr. Flood, and Mr. Black.
17. MR. MURRAY to move, That the following Member be added to the Select Committee on the Sydney University, viz :—Mr. Black.
18. MR. HODGSON to move,—
  - (1.) That, in order to meet the peculiar difficulties arising out of the separation of Queensland from the Colony of New South Wales, with respect to the existing Postage Laws, this House is of opinion that the present rates of Postage should be maintained for a period of one month from the date of the Proclamation of the New Colony.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.

#### ORDERS OF THE DAY:—

1. Primary Education Encouragement Bill; second reading.
2. Cattle Driving Act Amendment Bill; second reading.
3. Capital Punishments Abolition Bill; second reading.
4. Law of Primogeniture Abolition Bill; second reading.
5. Resumption of the adjourned Debate on Dr. Lang's motion,—
  - "(1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
  - "(2.) That such Committee consist of the following Members, viz :—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
6. Tanners and Curriers Bill; second reading.

Questions :—

## Questions :—

1. MR. ROTTON to ask THE COLONIAL SECRETARY,—Has the Government yet recommended His Excellency the Governor General, or if not, does it intend to recommend him, to accept the resignations tendered by certain Magistrates of Mudgee and Goulburn; if not, for what reasons?
2. MR. GORDON to ask THE COLONIAL SECRETARY,—The reasons why there has not yet been a District Court held at Dungog, in accordance with the Proclamation of His Excellency the Governor General, published in the *Government Gazette* of the 4th March last?
3. MR. JENKINS to ask THE COLONIAL SECRETARY,—If it is the intention of the Government to take immediate steps to relieve the present overcrowded state of the Benevolent Asylum, Sydney, and at the same time to place the children in that institution in a more advantageous position than they are at present, by the acceptance of the offer which it is understood has been made both to the present and last Governments, by the Directors of the Destitute Children's Asylum, Randwick, to take charge of all Pauper Children between the ages of three and ten years?
4. MR. PARKES to ask THE COLONIAL SECRETARY,—With reference to the forty-seven Children under 14 years of age, who appear, by a Return lately laid upon the Table of this House, to be prisoners in the Penal Establishment of Cockatoo Island—whether he can state the offences for which these Children have been tried and convicted—and the treatment to which they are now subjected?

## TUESDAY, DECEMBER 20.

## Contingent Notice of Motion :—

1. MR. HODGSON to move, as an amendment on Mr. Parkes' motion,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.
2. MR. ROBERTSON to move,—
  - (1.) That, in the opinion of this House, the Minister charged with the control of the Expenditure for Public Works ought to be a Member of the Legislative Assembly.
  - (2.) That this House particularly disapproves of the office of Minister for Public Works being held by a gentleman who has never been elected by the people to the position of a Member of Parliament.
3. MR. COOPER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A copy of the Warehousekeeper's list of deficiencies lately discovered in the Bonded Warehouses in Sydney.
  - (2.) A copy of the Collector's Report on these deficiencies.
  - (3.) A copy of correspondence between the Collector and any Bonded Warehousekeeper as to deficiencies in Teas imported in 1856.
  - (4.) Copies of documents shewing the alterations which were made in the weights of the Teas after landing.
  - (5.) The amount of duty paid in 1856 on Teas imported by the ship "Hirondello" in that year.
  - (6.) The date when the duty on the Teas per "Hirondello" were paid.



4. Mr. SCOTT to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates of Expenditure for this year, a sum of £3,236 10s. 3d., to be paid to Mr. John Moore Dillon, the late Criminal Crown Solicitor, in lieu of Pension for loss of Office.
5. Mr. CAPE to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Additional Estimates for 1860, the sum of £200 for a Wharf and its approaches at Gosford, for steamers and vessels in the timber trade; also, the sum of £100 for a Wharf and its approaches, at Mangrove, on the Hawkesbury River.
6. Mr. CLEMENTS to move,—
  - (1.) That in the opinion of this House, a survey of a Line for Railway from Bathurst, to meet the Victoria Line at Echuca, ought to be made at an early period of the ensuing year.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.
7. Mr. DALLEY to move, That there be laid on the Table of this House copies of all correspondence between Mr. Andrew Lenahan and the Government, with reference to a claim of Mr. Lenahan's for works performed at Government House.

ORDERS OF THE DAY :—

1. Tolls Amendment Act Repeal Bill; second reading.
2. Resumption of the adjourned Debate on the Rev. Dr. Lang's motion, "That the Duration of Legislative Assemblies Limitation Bill be now read a second time."—upon which Mr. Piddington had moved the Previous Question.
3. Lien on Wool Act Continuation Bill; second reading.

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FRIDAY, DECEMBER 23.

OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. Mr. HOSKINS to move, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the ensuing year the sum of £3,000, as a Reward Fund for the discovery of new "Gold Fields."

ORDERS OF THE DAY :—

1. Revenue and Audit Bill; second reading.
2. Parramatta Water Protection Bill; second reading.

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TUESDAY, DECEMBER 27.

OTHER BUSINESS—NOTICE OF MOTION :—

1. Dr. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.

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TUESDAY, JANUARY 3.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Crown Lands Sales Bill; second reading.
2. Crown Lands Occupation Bill; second reading.

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FRIDAY, JANUARY 6.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Importation of Cattle Regulation Bill; second reading.

DANIEL COOPER,  
*Speaker.*

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No. 43.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

THURSDAY, 15 DECEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Paper :—Mr. Forster laid upon the Table certain Papers relating to Lodging Allowance to the Major of Brigade, in lieu of Quarters.  
Ordered to be printed.
2. State Aid to Religion :—Mr. Jamison presented a Petition from certain Magistrates, Landholders, and other Inhabitants of the District of Penrith, in the Counties of Cumberland and Cook, praying that this House will not assent to the discontinuance of State Aid to Religion.  
Petition received.
3. Paper :—Mr. Black laid upon the Table Return to the Address, in reference to Expenditure upon the Road from Ulladulla to Shoalhaven, adopted, on motion of Mr. Garrett, on 28th September last.  
Ordered to be printed.
4. State Aid to Religion :—Mr. Flett presented a Petition from certain Inhabitants of the Manning River District, in favor of the abolition of State Aid to Religion.  
Petition received.
5. Loan Bill for 1860 :—Mr. Samuel moved, pursuant to notice, for leave to bring in a Bill to enable the Government to raise a certain loan to pay off Debentures falling due in 1860.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
6. Arms Act Continuation Bill :—Mr. Forster moved, pursuant to notice, for leave to bring in a Bill to continue an Act intituled "*An Act to regulate the carrying of Fire Arms, and other offensive weapons.*"  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
7. Loan Bill for 1860 :—Mr. Samuel having presented this Bill, Bill intituled, "*A Bill to enable the Government to raise a certain Loan to meet Debentures falling due in 1860,*" read a first time; ordered to be printed, and read a second time on Wednesday next.
8. Arms Act Continuation Bill :—  
(1.) Mr. Forster having presented this Bill, Bill intituled, "*A Bill to continue the Fire Arms Regulation Act of 1852,*" read a first time.  
(2.) Mr. Forster then moved, pursuant to notice, That the Standing Orders be suspended in so far as will permit of the passing through all its stages, to-day, of a Bill to continue "*An Act to regulate the carrying of Fire Arms, and other offensive weapons.*"  
Debate ensued.  
Question put and negatived.
9. Messages :—The Speaker reported that during the Debate of the Question last before the House, the following Messages were received from the Legislative Council :—  
(1.) Members of Council Qualification Bill :—  
MR. SPEAKER,  
The Legislative Council having this day passed a Bill intituled "*An Act to declare the Law relative to the Qualification of Members of the Legislative Council,*" presents the same to the Legislative Assembly for its concurrence.  
W. W. BURTON,  
Legislative Council Chamber,  
Sydney, 14 December, 1859. President.

Bill, on motion of Mr. Forster, read a first time.

(2.)

## (2.) Attendance of Members of Legislative Council :—

MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated the 14th instant, requesting leave for the Honorable Francis Lewis Shaw Merewether, and the Honorable John Macfarlane, Members of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly appointed to inquire into the present state of the University of Sydney, the Council acquaints the Assembly that leave has been granted to its said Members to attend and be examined by the said Committee, if they think fit.

*Legislative Council Chamber,  
Sydney, 15 December, 1859.*

W. W. BURTON,  
President.

10. Attendance of Member of Legislative Council :—Mr. Hodgson moved, without previous notice, That the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee to "inquire into and report upon the Claims of Mr. David Morris and others," and that Committee being desirous to examine the Honorable James Mitchell, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.

*Legislative Assembly Chamber,  
Sydney, 15 December, 1859.*

Speaker.

Question put and passed.

11. Arms Act Continuation Bill :—Mr. Forster moved, That this Bill be printed, and that its second reading stand an Order of the Day for to-morrow.

Question put and passed.

12. Postponement :—The Resumption of the Committee of Ways and Means postponed, on motion of Mr. Samuel, until Wednesday next.

13. Telegraphic Communication with United Kingdom :—Mr. Forster moved, That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole, to consider of an Address to His Excellency the Governor General, in reference to a subsidy towards Telegraphic Communication with the United Kingdom. Debate ensued.

Question put and passed.

Whereupon the Speaker left the Chair, and the House resolved itself into a Committee of the whole accordingly.

The Chairman reported progress, and obtained leave to sit again at a later hour of the day.

14. Assent to Bill :—The following Message from His Excellency the Governor General received and read :—

W. DENISON,

Message No. 12.

Governor General.

A Bill intituled "*An Act to provide for the occasional Absence of a Chairman of Quarter Sessions*," as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,

Sydney, 13 December, 1859.

15. Attendance of Member of Legislative Council :—The Speaker reported that whilst the House was in Committee the following Message was received from the Legislative Council :—

MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated this day, requesting leave for the Honorable James Mitchell, a Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly appointed to "inquire into and report upon the claims of Mr. David Morris and others," the Council acquaints the Assembly that leave has been granted to its said Member to attend and be examined by the said Committee, if he think fit.

*Legislative Council Chamber,  
Sydney, 15th December, 1859.*

W. W. BURTON,  
President.

16. Telegraphic Communication with United Kingdom :—On motion of Mr. Forster, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider of an Address to His Excellency the Governor General in reference to a subsidy towards Telegraphic Communication with the United Kingdom. The Chairman reported progress, and obtained leave to sit again to-morrow.

17. Postponement :—The second reading of the Elective Legislative Council Bill postponed, on motion of Mr. Forster, until Wednesday next.

18. Supply :—On motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the Service of the year 1859-60.

And

And the Committee continuing to sit till after Midnight,—

FRIDAY, 16 DECEMBER, 1859.

The Chairman reported progress, and obtained leave to sit again at a later hour to-day.

19. Postponements :—

(1.) The further consideration in Committee of the Certain Public Officers' Salaries Reduction Bill postponed, on motion of Mr. Forster, until Wednesday next.

(2.) Mr. Byrnes postponed the motion standing in his name on the Notice Paper of Other Business for to-day, until a later hour to-day.

(3.) The second reading of the Wesley College Bill postponed, on motion of Mr. Byrnes, until a later hour to-day.

(4.) The second reading of the Newcastle Wallsend Coal Company's Railway Bill postponed, on motion of Mr. Samuel, until Tuesday next.

(5.) The consideration in Committee of the Report of Standing Orders Committee on Proceedings in Committee of Supply postponed, on motion of Mr. Forster, until Wednesday next.

(6.) The consideration in Committee of an Address for Salary of Chief Justice during absence of Sir Alfred Stephen postponed, on motion of Mr. Hay, until Wednesday next.

The House adjourned at twenty minutes after One o'clock A.M., until Three o'clock P.M., to-day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, DECEMBER 16.

*Contingent Notice of Motion :—*

1. MR. HAWKINS to move (*upon Mr. Parkes moving the Resolutions standing in his name first on the Notice Paper for to-day*), That the following Resolutions be added :—  
That this House resolves,—

- (1.) That it is highly expedient that a new Commission of the Peace be issued forthwith.
- (2.) That, after the issuing of such Commission of the Peace, no further appointments shall be made, until after the names and residences of the parties proposed to be appointed, shall have been duly notified in the *Government Gazette* for a period of two months.
- (3.) That such notice should provide for the reception of all objections which may be made to the proposed appointments, and state the manner and form of them, and to whom they should be addressed.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move, That this House resolves,—  
(1.) That there ought to be kept in the Office of the Colonial Secretary a complete and permanent record, in chronological form, of all recommendations of persons for appointment on the Commission of the Peace.  
(2.) That such record ought to state the name and address of all persons recommending other persons for such appointment, and also their station in life if it is of a public character.
2. MR. MARTIN to move the following Resolutions :—  
(1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony, any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders.  
(2.) That this House is further of opinion that no portion of this Colony should have been separated from it and crected into a new Colony unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.  
(3.) That inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony, lying between the 26th and 30th degrees of south latitude, petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent, by which such separation has been announced.
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4. DR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd September last, be now taken into consideration.

5. MR. JENKINS to move, That a Petition from some 950 Citizens of Sydney, presented by Mr. Thornton on 6th April, 1859, praying a Commission of Inquiry into the operation of the City Sewerage Act of 1853, be printed, and referred to the Select Committee appointed to inquire into the working of the Sydney Corporation.
6. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a nominal Return of all the Magistrates who have been placed in the Commission of the Peace during the present Administration, specifying the recommendations received by the Government in favor of, and the dates of their appointments.
7. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.
8. MR. MURRAY to move, That there be laid upon the Table of this House, a nominal Return showing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.
9. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Supplementary Estimates for 1860, the following sums:—
  - £7,000 for the construction of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst.
  - £300 for the construction of a Bridge across the Bellubulla Creek, on the main line of road from Bathurst to Nanamai.
  - £300 for the construction of a Bridge across Ugowra Creek, at or near the junction of said creek with the Lachlan River, on main road to Balranald.
  - £200 for the construction of a Bridge across the Carrawobbidy Creek, being on the main road from Nanamai to Balranald.
  - £300 for the construction of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala Gold Fields.
10. MR. PLUNKETT to move, That the Petition of Owen J. Caraher, relative to Soap Manufacturers, presented by him on the 13th instant, be printed.
11. MR. CLOSE to move, That it be an Instruction to the Select Committee on the Port of Newcastle, to inquire and report whether the strength of the Staff of the Customs Department at Newcastle is sufficient to prevent smuggling, and is adequate to carry out the duties otherwise required of the Department.
12. MR. HODGSON to move, That the Petition of the Newcastle Chamber of Commerce, relative to the Abolition of the Tonnage Dues levied at the Port of Newcastle, presented by him on the 14th instant, be printed, and referred to the Select Committee on the Port of Newcastle.
13. MR. HAY to move, That the Petition from the Moderator and Clerk of the Synod of Australia, relative to the proposed exchange of a portion of the Scots' Church Allotment, presented by him on the 14th instant, be printed.
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15. MR. MURRAY to move, That the Petition of Edward Chalton Madgwick, presented by him on the 14th instant, be printed.
16. MR. MURRAY to move, That the following Members be added to the Select Committee upon Church and School Lands, viz:—Mr. Flood, and Mr. Black.
17. MR. MURRAY to move, That the following Member be added to the Select Committee on the Sydney University, viz:—Mr. Black.
18. MR. HODGSON to move,—
  - (1.) That, in order to meet the peculiar difficulties arising out of the separation of Queensland from the Colony of New South Wales, with respect to the existing Postage Laws, this House is of opinion that the present rates of Postage should be maintained for a period of one month from the date of the Proclamation of the New Colony.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.
19. MR. FLETT to move, That the Petition from the Manning River, relative to State Aid to Religion, presented by him on the 15th instant, be printed.
20. MR. BYRNES to move for leave to introduce a Bill to extend the provisions of the 11th Victoria No. 11.

#### ORDERS OF THE DAY:—

1. Primary Education Encouragement Bill; second reading.
2. Cattle Driving Act Amendment Bill; second reading.
3. Capital Punishments Abolition Bill; second reading.
4. Law of Primogeniture Abolition Bill; second reading.
5. Resumption of the adjourned Debate on Dr. Lang's motion,—
  - "(1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
  - "(2.) That such Committee consist of the following Members, viz:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
6. Tanners and Curriers Bill; second reading.
7. Wesley College Bill; second reading.

## GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. FORSTER to move,—
  - (1.) That until otherwise provided this House shall sit on Mondays.
  - (2.) That Government Business shall have precedence on Tuesdays, so long as the foregoing Resolution shall have effect.

## ORDERS OF THE DAY :—

1. Arms Act Continuation Bill; second reading.
2. Telegraphic Communication with United Kingdom; Further consideration in Committee of Address for Subsidy towards.
3. Supply; Resumption of the Committee.

## Questions :—

1. MR. ROTTON to ask THE COLONIAL SECRETARY,—Has the Government yet recommended His Excellency the Governor General, or if not, does it intend to recommend him, to accept the resignations tendered by certain Magistrates of Mudgee and Goulburn; if not, for what reasons?
2. MR. GORDON to ask THE COLONIAL SECRETARY,—The reasons why there has not yet been a District Court held at Dungog, in accordance with the Proclamation of His Excellency the Governor General, published in the *Government Gazette* of the 4th March last?
3. MR. JENKINS to ask THE COLONIAL SECRETARY,—If it is the intention of the Government to take immediate steps to relieve the present overcrowded state of the Benevolent Asylum, Sydney, and at the same time to place the children in that institution in a more advantageous position than they are at present, by the acceptance of the offer which it is understood has been made both to the present and last Governments, by the Directors of the Destitute Children's Asylum, Randwick, to take charge of all Pauper Children between the ages of three and ten years?
4. MR. PARKES to ask THE COLONIAL SECRETARY,—With reference to the forty-seven Children under 14 years of age, who appear, by a Return lately laid upon the Table of this House, to be prisoners in the Penal Establishment of Cockatoo Island—whether he can state the offences for which these Children have been tried and convicted—and the treatment to which they are now subjected?
5. MR. WILSON to ask THE COLONIAL SECRETARY,—If the Government have any objection to cause to be laid upon the Table of this House, a Copy of all the Correspondence that has taken place between the Gold Commissioner at Adelong, Mr. Lynch, and Messrs. Edwards, Brothers; and Channon, with reference to a disputed water right and dam; and his refusal to allow the same to be entertained by the Local Court?
6. MR. ARNOLD to ask THE COLONIAL TREASURER,—Whether the Government intend to assume to themselves the power to authorize any expenditure of public money after the 1st of January, 1860, without the appropriation of Parliament; if not, what course the Government intend to take to provide for the necessary expenditure for so much of the year 1860, as may elapse before the passing of the Estimates and Appropriation Act for that year.

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TUESDAY, DECEMBER 20.

## Contingent Notice of Motion :—

1. MR. HODGSON to move, as an amendment on Mr. Parkes' motion,—That there be inserted between Resolutions 4 and 5, the Resolution following :—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
  - (3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.
  - (4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.
  - (5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.

2. MR. ROBERTSON to move,—
  - (1.) That, in the opinion of this House, the Minister charged with the control of the Expenditure for Public Works ought to be a Member of the Legislative Assembly.
  - (2.) That this House particularly disapproves of the office of Minister for Public Works being held by a gentleman who has never been elected by the people to the position of a Member of Parliament.
3. MR. COOPER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A copy of the Warehousekeeper's list of deficiencies lately discovered in the Bonded Warehouses in Sydney.
  - (2.) A copy of the Collector's Report on these deficiencies.
  - (3.) A copy of correspondence between the Collector and any Bonded Warehousekeeper as to deficiencies in Teas imported in 1856.
  - (4.) Copies of documents shewing the alterations which were made in the weights of the Teas after landing.
  - (5.) The amount of duty paid in 1856 on Teas imported by the ship "Hirondelle" in that year.
  - (6.) The date when the duty on the Teas per "Hirondelle" were paid.
4. MR. SCOTT to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates of Expenditure for this year, a sum of £3,286 10s. 3d., to be paid to Mr. John Moore Dillon, the late Criminal Crown Solicitor, in lieu of Pension for loss of Office.
5. MR. CAPE to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Additional Estimates for 1860, the sum of £200 for a Wharf and its approaches at Gosford, for steamers and vessels in the timber trade; also, the sum of £100 for a Wharf and its approaches, at Mangrove, on the Hawkesbury River.
6. MR. CLEMENTS to move,—
  - (1.) That in the opinion of this House, a survey of a Line for Railway from Bathurst, to meet the Victoria Line at Echuca, ought to be made at an early period of the ensuing year.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.
7. MR. DALLEY to move, That there be laid on the Table of this House copies of all correspondence between Mr. Andrew Lenahan and the Government, with reference to a claim of Mr. Lenahan's for works performed at Government House.
8. MR. JAMISON to move, That the Petition from Penrith, relative to State Aid to Religion, presented by him on the 15th instant, be printed.

ORDERS OF THE DAY :—

1. Tolls Amendment Act Repeal Bill; second reading.
2. Resumption of the adjourned Debate on the Rev. Dr. Lang's motion, "That the Duration of Legislative Assemblies Limitation Bill be now read a second time."—upon which Mr. Piddington had moved the Previous Question.
3. Lien on Wool Act Continuation Bill; second reading.
4. Newcastle Wallsend Coal Company's Railway Bill; second reading.

Question :—

1. MR. MORRIS to ask THE COLONIAL TREASURER,—What determination the Government has arrived at as to the distribution of the unclaimed proceeds from the Sale of Cattle impounded at Deniliquin, and other places contiguous thereto?

WEDNESDAY, DECEMBER 21.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. SAMUEL to move for leave to bring in a Bill to facilitate the Engagement of Seamen for the Inter-Colonial Trade.
2. MR. SAMUEL to move for leave to bring in a Bill further to amend the Laws relating to Pilotage.
3. MR. SAMUEL to move, That the Standing Orders be suspended, in so far as will permit of the passing through its remaining stages to-day of the "*Bill to enable the Government to raise a certain loan to pay off Debentures falling due in 1860.*"

ORDERS OF THE DAY :—

1. Loan Bill for 1860; second reading.
2. Ways and Means; Resumption of the Committee.
3. Elective Legislative Council Bill; second reading.
4. Certain Public Officers' Salaries Reduction Bill; To be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Report of Standing Orders Committee on Proceedings in Committee of Supply; To be considered in Committee.
2. Salary of Chief Justice during Absence of Sir Alfred Stephen; consideration in Committee of an Address for.

FRIDAY,



FRIDAY, DECEMBER 23.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. MR. HOSKINS to move, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the ensuing year the sum of £3,000, as a Reward Fund for the discovery of new "Gold Fields."
3. MR. PARKES to move,—That in the opinion of this House an Amendment of the Law regulating the Sale and Occupation of the Crown Lands is called for by the public interest, and ought not to be delayed beyond the present Session of Parliament.
4. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.

ORDERS OF THE DAY :—

1. Revenue and Audit Bill ; second reading.
2. Parramatta Water Protection Bill ; second reading.

TUESDAY, DECEMBER 27.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.

TUESDAY, JANUARY 3.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Crown Lands Sales Bill ; second reading.
2. Crown Lands Occupation Bill ; second reading.

FRIDAY, JANUARY 6.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Importation of Cattle Regulation Bill ; second reading.

DANIEL COOPER,  
*Speaker.*



## No. 44.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

FRIDAY, 16 DECEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Ferry Dues at Windsor:—Mr. Piddington presented a Petition from certain Inhabitants of Wilberforce and Windsor, praying that immediate measures be taken for the reduction of the Scale of Charges for Ferries.  
 Petition received.
  2. Sydney Insurance Company:—Mr. Weekes presented a Petition from certain Directors and Shareholders of the Sydney Insurance Company, praying leave to introduce a Bill for amendment of the Act incorporating the said Company,—  
 And Mr. Weekes having produced the *Government Gazette*, and the *Sydney Morning Herald* and *Empire* newspapers, containing Notice for four consecutive weeks, in the months of November and December, of the intention to apply for such Bill,—  
 Petition received.
  3. Recommendations for Appointment to Commission of the Peace:—Mr. Parkes moved, pursuant to *amended* notice, That this House resolves—  
 (1.) That there ought to be kept in the Office of the Colonial Secretary a complete and permanent record, in chronological form, of all recommendations of persons for appointment on the Commission of the Peace.  
 (2.) That such record ought to state the name and address of all persons recommending other persons for such appointment, and also their station in life if it is of a public character.  
 (3.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.  
 Mr. Hawkins moved, pursuant to *amended* Contingent notice, That the Question be amended by the insertion between Sections (2) and (3) of the Section following:—  
 “(3) That it is highly expedient that a new Commission of the Peace be issued “forthwith.”  
 Debate ensued.  
 Question,—That the Section proposed to be inserted between Sections (2) and (3) be so inserted,—put and passed;—  
 Whereupon Question put, *as so* amended,  
 The House divided.
- | Ayes, 24.       | Noes, 4.     |
|-----------------|--------------|
| Mr. Forster,    | Mr. Asher,   |
| Mr. Black,      | Mr. Rotton,  |
| Mr. Lyons,      | Mr. G. Lang, |
| Mr. Hawkins,    | Mr. Dalley,  |
| Mr. Piddington, |              |
| Mr. McArthur,   |              |
| Mr. Russell,    |              |
| Mr. Parkes,     |              |
| Mr. Oxley,      |              |
| Mr. Arnold,     |              |
| Mr. Loder,      |              |
| Mr. Laidlaw,    |              |
| Mr. Darvall,    |              |
| Mr. Hoskins,    |              |
| Mr. Broughton,  |              |
| Mr. Sayers,     |              |
| Mr. Garrett,    |              |
| Mr. Pemell,     |              |
| Mr. Cape,       |              |
| Mr. Wild,       |              |
| Mr. Nott,       |              |
| Mr. Hodgson,    |              |
| Mr. Hart,       |              |
| Mr. Clements,   |              |
- } Tellers.
4. Postponements:—  
 (1.) Mr. Martin postponed the motion standing in his name second on the Notice Paper of Other Business for to-day, until this day week.  
 (2.) Mr. Hodgson postponed the motion standing in the name of Mr. Dark third on the Notice Paper of Other Business for to-day, until Thursday next.  
 (3.) Mr. Lang postponed the motion standing in the name of the Revd. Dr. Lang fourth on the Notice Paper of Other Business for to-day, until this day week.
  5. Motions Dropped:—  
 (1.) Mr. Jenkins not moving the motion standing in his name fifth on the Notice Paper of Other Business for to-day, it dropped.  
 (2.) Mr. Murray not moving the motion standing in his name sixth on the Notice Paper of Other Business for to-day, it dropped.

6. Hart and Patfield :—Mr. Murray moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all proceedings taken in the Police Office at Paterson, on the 1st of September last, in the cases of Hart v. Patfield, and Patfield v. Hart.  
Debate ensued.  
Question put and passed.
7. Attendance of Member of Legislative Council :—Mr. Hay moved, without previous notice, That the following Message be carried to the Legislative Council :—  
MR. PRESIDENT,  
The Legislative Assembly having appointed a Select Committee to "inquire into and report upon the 'St. Andrew's College Bill,' and that Committee being desirous to examine the Honorable John Alexander, Esq., in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.  
*Legislative Assembly Chamber,  
Sydney, 16 December, 1859.* Speaker.  
Question put and passed.
8. Church and School Lands :—Mr. Murray moved, pursuant to notice, That there be laid upon the Table of this House, a nominal Return showing the quantities of (so-called) Church and School Lands held by each lessee, and the rent payable therefor; distinguishing the district in which such lands are situate; the date of the commencement and termination of each lease; the form of lease under which such lands have been demised; the particulars of any (so-called) Church and School Lands that have been disposed of in fee simple.  
Question put and passed.
9. Postponement :—Mr. Cummings postponed the motion standing in his name ninth on the Notice Paper of Other Business for to-day, until Tuesday next.
10. Soap Manufacturers :—Mr. Plunkett moved, pursuant to notice, That the Petition of Owen J. Curaher, relative to Soap Manufacturers, presented by him on the 13th instant, be printed.  
Question put and passed.  
Ordered to be printed.
11. Customs Department at Newcastle :—Mr. Close moved, pursuant to notice, That it be an Instruction to the Select Committee on the Port of Newcastle, to inquire and report whether the strength of the Staff of the Customs Department at Newcastle is sufficient to prevent smuggling, and is adequate, to carry out the duties otherwise required of the Department.  
Debate ensued.  
Motion by leave withdrawn.
12. Hunter River Tonnage Dues :—Mr. Hodgson moved, pursuant to notice, That the Petition of the Newcastle Chamber of Commerce relative to the Abolition of the Tonnage Dues levied at the Port of Newcastle, presented by him on the 14th instant, be printed, and referred to the Select Committee on the Port of Newcastle.  
Question put and passed.  
Ordered to be printed and referred accordingly.
13. Proposed Exchange of a portion of Scots' Church Allotment :—Mr. Hay moved, pursuant to notice, That the Petition from the Moderator and Clerk of the Synod of Australia, relative to the proposed exchange of a portion of the Scots' Church Allotment, presented by him on the 14th instant, be printed.  
Question put and passed.  
Ordered to be printed.
14. Proceedings of the Synod of Australia, 1842 :—Mr. Murray moved, pursuant to notice, That the Petition relative to the Proceedings of the Synod of Australia, in 1842, presented by him on the 14th instant, be printed.  
Question put and passed.  
Ordered to be printed.
15. Edward Chalton Madgwick :—Mr. Murray moved, pursuant to notice, That the Petition of Edward Chalton Madgwick, presented by him on the 14th instant, be printed.  
Debate ensued.  
Question put and passed.  
Ordered to be printed.
16. State Aid to Religion :—Mr. Darvall presented a Petition from certain Members of the Church of England and Parishioners of Saint Mark the Evangelist, Darling Point, praying the House to continue the provision contained in the Constitution Act, for the maintenance of Public Worship.  
Petition received.
17. Church and School Lands :—Mr. Murray moved, pursuant to notice, That the following Members be added to the Select Committee upon Church and School Lands, viz :—  
Mr. Flood, and Mr. Black.  
Question put and passed.
18. Sydney University :—Mr. Murray moved, pursuant to notice, That the following Member be added to the Select Committee on the Sydney University, viz :—  
Mr. Black.  
Question put and passed.

19. **Postage between Queensland and New South Wales**:—Mr. Hodgson moved, pursuant to notice,—  
 (1.) That, in order to meet the peculiar difficulties arising out of the separation of Queensland from the Colony of New South Wales, with respect to the existing Postage Laws, this House is of opinion that the present rates of Postage should be maintained for a period of one month from the date of the Proclamation of the New Colony.  
 (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.  
 Debate ensued.  
 Motion by leave withdrawn.
20. **State Aid to Religion**:—Mr. Flett moved, pursuant to notice, That the Petition from the Manning River, relative to State Aid to Religion, presented by him on the 15th instant, be printed.  
 Question put and passed.  
 Ordered to be printed.
21. **Necropolis Act Extension Bill**:—Mr. Byrnes moved, pursuant to notice, for leave to introduce a Bill to extend the provisions of the 11th Victoria No. 11.  
 Question put and passed;—*Ordered*, that the Mover and Seconder prepare and bring in the Bill.
22. **Primary Education Encouragement Bill**:—Mr. Oxley moved, That this Bill be now read a second time.  
 Mr. Rotton moved, That this House do now adjourn.  
 Debate ensued.  
 Question on motion for adjournment of the House put and negatived;—  
 Whereupon motion made by Mr. Hay, and Question, That this Debate be adjourned until this day month,—put and passed.
23. **Cattle Driving Act Amendment Bill**, on motion of Mr. Windeyer, read a second time.  
 Mr. Windeyer then moved that the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole, for consideration thereof.  
 Mr. Robertson moved,—That this House do now adjourn until three o'clock on Tuesday next.  
 Debate ensued.  
 Question put on the motion for adjournment of the House until three o'clock on Tuesday next.  
 The House divided.

## Ayes 14.

Mr. Roberts,	Dr. Lang,	} Tellers.
Mr. Egan,	Mr. Robertson,	
Mr. Hawkins,	Mr. Wisdom,	
Mr. Gray,		
Mr. Rotton,		
Mr. Hurley,		
Mr. Laidlaw,		
Mr. Hart,		
Mr. Hyeronimus,		
Mr. Flood,		
Mr. Cummings,		

Debate continued.

Original Question put.

The House divided.

## Ayes, 24.

Mr. Forster,	Mr. Byrnes,	} Tellers.
Mr. Black,	Mr. Flett,	
Mr. Clements,	Mr. Laycock,	
Mr. Roberts,	Mr. Hoskins,	
Mr. Wilson,	Mr. Broughton,	
Mr. Arnold,	Mr. Close,	
Mr. Windeyer,	Mr. Flood,	
Mr. Gray,	Mr. G. Lang,	
Mr. Wisdom,	Mr. Murray,	
Mr. Loder,	Mr. Piddington,	
Rev. Dr. Lang,	Mr. Wild,	
Mr. Parkes,	Mr. Oxley,	

## Noes 21.

Mr. Hay,	Mr. Wilson,	} Tellers.
Mr. Wild,	Mr. Byrnes,	
Mr. Plunkett,	Mr. Murray,	
Mr. G. Lang,	Mr. Black,	
Mr. Loder,	Mr. Laycock,	
Mr. Clements,	Mr. Flett,	
Mr. Broughton,	Mr. Piddington,	
Mr. Oxley,	Mr. Hoskins,	
Mr. Forster,	Mr. Parkes,	
Mr. Close,	Mr. Arnold,	

## Noes, 3.

Mr. Egan,	} Tellers.
Mr. Rotton,	
Mr. Robertson,	

Whereupon the Speaker left the Chair, and the House resolved itself into a Committee of the whole accordingly.

And the Committee continuing to sit till after Midnight,—

**SATURDAY, 17 DECEMBER, 1859.**

The Chairman having reported the Bill with Amendments, the House adopted the same, and ordered the Bill, as so amended, to be read a third time on Tuesday next. The House adjourned at five minutes after Twelve o'clock, A.M., until Tuesday next, at Three o'clock, P.M.

NOTICES

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, DECEMBER 20.

*Contingent Notice of Motion :—*

1. MR. HODGSON to move, *as an amendment on Mr. Parkes' motion*,—That there be inserted between Resolutions 4 and 5, the Resolution following:—That in calling the attention of Her Majesty's Government to the importance of a constant and effectual provision for the protection of the Ports and Commerce of these Colonies from the aggression of Her Majesty's enemies, this House desires to give expression to its affectionate loyalty to Her Majesty's Person and Government, to its high appreciation of the honorable position of New South Wales as a part of the British Empire, and to its readiness to share in all the duties and responsibilities, which, whether in peace or war, can justly devolve on Her Majesty's Australian subjects.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—
  - (1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.
  - (2.) That the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.
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  - (1.) That, in the opinion of this House, the Minister charged with the control of the Expenditure for Public Works ought to be a Member of the Legislative Assembly.
  - (2.) That this House particularly disapproves of the office of Minister for Public Works being held by a gentleman who has never been elected by the people to the position of a Member of Parliament.
3. MR. COOPER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A copy of the Warehousekeeper's list of deficiencies lately discovered in the Bonded Warehouses in Sydney.
  - (2.) A copy of the Collector's Report on these deficiencies.
  - (3.) A copy of correspondence between the Collector and any Bonded Warehousekeeper as to deficiencies in Teas imported in 1856.
  - (4.) Copies of documents shewing the alterations which were made in the weights of the Teas after landing.
  - (5.) The amount of duty paid in 1856 on Teas imported by the ship "Hirondelle" in that year.
  - (6.) The date when the duty on the Teas per "Hirondelle" were paid.
4. MR. SCOTT to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates of Expenditure for this year, a sum of £3,236 10s. 3d., to be paid to Mr. John Moore Dillon, the late Criminal Crown Solicitor, in lieu of Pension for loss of Office.
5. MR. CAPE to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Additional Estimates for 1860, the sum of £200 for a Wharf and its approaches at Gosford, for steamers and vessels in the timber trade; also, the sum of £100 for a Wharf and its approaches, at Mangrove, on the Hawkesbury River.
6. MR. CLEMENTS to move,—
  - (1.) That in the opinion of this House, a survey of a Line for Railway from Bathurst, to meet the Victoria Line at Echuca, ought to be made at an early period of the ensuing year.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.
7. MR. DALLEY to move, That there be laid on the Table of this House copies of all correspondence between Mr. Andrew Lenihan and the Government, with reference to a claim of Mr. Lenihan's for works performed at Government House.
8. MR. JAMISON to move, That the Petition from Penrith, relative to State Aid to Religion, presented by him on the 15th instant, be printed.

9. CAPTAIN RUSSELL to move, That this House do meet on Tuesdays, Wednesdays, Thursdays, and Fridays, at 10 o'clock A.M., instead of 3 o'clock P.M., for the dispatch of business.
10. MR. PIDDINGTON to move, That the Petition from Wilberforce and Windsor, relative to certain Tolls levied under the Act 2 William 4, No. 12, presented by him on the 16th instant, be printed.
11. MR. WEEKES to move for leave to bring in a Bill to amend the Sydney Insurance Company's Act of 1855.
12. MR. CLEMENTS to move, That on the rising of this House on Thursday next, it do adjourn until Tuesday, the 17th of January, 1860.
13. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Supplementary Estimates for 1860, the following sums:—
  - £7,000 for the construction of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst.
  - £300 for the construction of a Bridge across the Bellubulla Creek, on the main line of road from Bathurst to Nanamai.
  - £300 for the construction of a Bridge across Ugowra Creek, at or near the junction of said creek with the Lachlan River, on main road to Balranald.
  - £200 for the construction of a Bridge across the Carrawobiddy Creek, being on the main road from Nanamai to Balranald.
  - £300 for the construction of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala Gold Fields.

#### ORDERS OF THE DAY :—

1. Tolls Amendment Act Repeal Bill; second reading.
2. Resumption of the adjourned Debate on the Rev. Dr. Lang's motion, "That the Duration of Legislative Assemblies Limitation Bill be now read a second time."—upon which Mr. Piddington had moved the Previous Question.
3. Lien on Wool Act Continuation Bill; second reading.
4. Newcastle Wallsend Coal Company's Railway Bill; second reading.
5. Cattle Driving Act Amendment Bill; third reading.
6. Capital Punishments Abolition Bill; second reading.
7. Law of Primogeniture Abolition Bill; second reading.
8. Resumption of the adjourned Debate on Dr. Lang's motion,—
  - "(1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
  - "(2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
9. Tanners and Curriers Bill; second reading.
10. Wesley College Bill; second reading.

#### GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. FORSTER to move,—
  - (1.) That until otherwise provided this House shall sit on Mondays.
  - (2.) That Government Business shall have precedence on Tuesdays, so long as the foregoing Resolution shall have effect.

#### ORDERS OF THE DAY :—

1. Arms Act Continuation Bill; second reading.
2. Telegraphic Communication with United Kingdom; Further consideration in Committee of Address for Subsidy towards.
3. Supply; Resumption of the Committee.

#### Questions :—

1. MR. CAPE to ask THE COLONIAL TREASURER (on the motion being made for going into Committee of Supply),—
  - (1.) How far it would be a saving of expenditure and an advantage to the public if the Customs Stations at Botany and Broken Bay Heads were made Police and Ferry Stations?
  - (2.) What services are at present rendered by the establishments referred to?
2. MR. MORRIS to ask THE COLONIAL TREASURER,—What determination the Government has arrived at as to the distribution of the unclaimed proceeds from the Sale of Cattle impounded at Deniliquin, and other places contiguous thereto?
3. MR. HART to ask THE COLONIAL SECRETARY,—If it is the intention of the Government to appoint a Clerk of Petty Sessions at Walcha, in compliance with a Petition from the Bench of Magistrates and the Inhabitants lately presented from that place?
4. MR. GORDON to ask THE COLONIAL SECRETARY,—Why no District Court has been held in Dungog as well as in most of the other Police Districts included in the Northern District, as described in the Proclamation of the 2nd of March last?
5. MR. WINDEYER to ask THE SECRETARY FOR LANDS,—
  - (1.) Whether the Government are aware, that in consequence of there being no road from the township of Alnwick leading to the main road through Miller's Forest, litigation has arisen, and great inconvenience has been felt by those who have purchased land from the Government in that township?
  - (2.) When do the Government expect that the road lately surveyed will be open to the public?

6. MR. WINDEYER to ask THE COLONIAL SECRETARY,—  
 (1.) Is it the intention of the Government to carry out the views expressed in the Notice of Motion given by the Colonial Secretary before his taking office—to the effect that the Government should cause public notice to be forthwith given to all holders of office in this Colony, that after December 31, 1859, except as may be now or hereafter otherwise provided by law, no such holder of office shall be or become entitled to any retiring allowance, or compensation for loss of office arising or accruing after the date above specified; and that every such holder of office shall be considered to have again accepted office from that date, and subject to the condition of such notice?  
 (2.) If it is not the intention of the Government to give such notice, what are their reasons for not so doing?
7. MR. ROBERTS to ask THE SECRETARY FOR LANDS,—What progress has been made in the survey of the Line of Railway from Picton to Goulburn—what is the nature of the arrangements generally in respect of this survey—and within what period is the survey of the whole Line likely to be completed?

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WEDNESDAY, DECEMBER 21.

*Contingent Notice:—*

1. MR. SAMUEL to move, (in *Committee of Supply*), That there be appropriated a sum not exceeding £78,000, to defray the expenses of the various Departments and Services of the Colony, for the month of January, 1860, at the rate sanctioned for the present year; and a sum not exceeding £14,000, for the construction of Roads and Bridges, and Works and Buildings during the same month.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. SAMUEL to move for leave to bring in a Bill to facilitate the Engagement of Seamen for the Inter-Colonial Trade.  
 2. MR. SAMUEL to move for leave to bring in a Bill further to amend the Laws relating to Pilotage.  
 3. MR. SAMUEL to move, That the Standing Orders be suspended, in so far as will permit of the passing through its remaining stages to-day of the "*Bill to enable the Government to raise a certain loan to pay off Debentures falling due in 1860.*"

ORDERS OF THE DAY:—

1. Loan Bill for 1860; second reading.  
 2. Ways and Means; Resumption of the Committee.  
 3. Elective Legislative Council Bill; second reading.  
 4. Certain Public Officers' Salaries Reduction Bill; To be further considered in Committee.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. WISDOM to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions in the case of Charles Skerrett, who was recently committed for cattle stealing by the Bench of Magistrates at Wingham; also, Copies of the Depositions taken in the case of the same person, committed by the same Bench for unlawfully presenting fire-arms.

ORDERS OF THE DAY:—

1. Report of Standing Orders Committee on Proceedings in Committee of Supply; To be considered in Committee.  
 2. Salary of Chief Justice during Absence of Sir Alfred Stephen; consideration in Committee of an Address for.

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THURSDAY, DECEMBER 22.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. DARK to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Pant at Clarence Town.

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FRIDAY, DECEMBER 23.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.  
 2. MR. HOSKINS to move, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the ensuing year the sum of £3,000, as a Reward Fund for the discovery of new "Gold Fields."  
 3. MR. PARKES to move,—That in the opinion of this House an Amendment of the Law regulating the Sale and Occupation of the Crown Lands is called for by the public interest, and ought not to be delayed beyond the present Session of Parliament.



4. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing showing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
5. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
  - (1.) A copy of the Regulations issued by the Inspector General of Police, as a guide for the Police of New South Wales.
  - (2.) A copy of the Regulations for Public Conveyances to and from the City and Suburbs of Sydney.
  - (3.) A copy of the Regulations or Instructions for the abatement of the Dog nuisance in Sydney, and the chief Towns of the Colony.
  - (4.) A Return of all Fees paid, and of penalties enforced under the Dog Acts, at the various Police Offices of the Metropolis and Townships of the Colony.
6. MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
  - (1.) Copies of all correspondence that have taken place between the Executive and Mr. W. R. Riley, relating to his appointment to, and removal from the Commission of the Peace.
  - (2.) Copies of all correspondence that has taken place between the Executive Government, and any person or persons upon the same subject.
  - (3.) Also copy of any Minutes of the Executive Council in reference thereto.
7. MR. MARTIN to move the following Resolutions:—
  - (1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony, any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders.
  - (2.) That this House is further of opinion that no portion of this Colony should have been separated from it and erected into a new Colony unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.
  - (3.) That inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony, lying between the 26th and 30th degrees of south latitude, petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent, by which such separation has been announced.
8. DR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd September last, be now taken into consideration.

ORDERS OF THE DAY:—

1. Revenue and Audit Bill; second reading.
2. Parramatta Water Protection Bill; second reading.

TUESDAY, DECEMBER 27.

OTHER BUSINESS—NOTICE OF MOTION:—

1. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.

TUESDAY, JANUARY 3.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Crown Lands Sales Bill; second reading.
2. Crown Lands Occupation Bill; second reading.

FRIDAY, JANUARY 6.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Importation of Cattle Regulation Bill; second reading.

FRIDAY, JANUARY 13.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, That this Bill be now read a second time.

DANIEL COOPER,  
*Speaker.*



No. 45.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

TUESDAY, 20 DECEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Papers :—  
(1.) Mr. Forster laid upon the Table a Report from the Commissioner of Internal Communication on the Survey of Grose Valley.  
Ordered to be printed.  
(2.) Mr. Samuel laid upon the Table, Return to the Address, in reference to the Constitution of the Legislative Council, adopted, on motion of Mr. Robertson, on the 13th instant.  
Ordered to be printed.
2. Cattle Driving Act Amendment Bill :—Mr. Plunkett claiming to have voted with the Ayes in the Division on Mr. Windeyer's motion for the Committal of this Bill, and there being no dissent on the part of the Tellers, the Speaker directed the name of Mr. Plunkett to be added to the List of the Tellers for the Ayes in the Division on the Original Question for going into Committee on this Bill, on Friday last.
3. Papers :—  
(1.) Mr. Samuel laid upon the Table certain Documents respecting Telegraphic Communication with the United Kingdom.  
Ordered to be printed.  
(2.) Mr. Black laid upon the Table, Return to the Address, in reference to a Disputed Boundary at the Araluen Diggings, adopted, on motion of Mr. Cooper, on the 6th December last.  
Ordered to be printed.
4. Defences of the Colony :—Mr. Parkes moved, pursuant to notice, That this House, having had under its consideration the subject of the defence of the Colony, resolves as follows :—  
(1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy.  
(2.) "That" the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.  
(3.) That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization.  
(4.) That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.  
(5.) That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.  
Mr. Forster moved, That the Question be amended, by the omission of all the words in Section (2) following the word "That" at the commencement, with a view to the insertion in their place of the words "the Regular Troops in the Colony ought to be" supplemented by a National Militia composed of Citizens of the Country."  
Debate ensued.  
And it being agreed to put the Resolutions *seriatim*,—  
Question,—(1.) That, having regard to the present complications of Foreign Governments, and the hold which great Maritime Powers have in the seas of this Hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the Colony in the event of its being attacked by an enemy,—put and passed.  
Question,—(2.) "That" the maintenance of regular troops in the Colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue,—  
Upon which Mr. Forster had moved, by way of amendment,—That all the words thereof following the word "That," at the commencement, be omitted, with a view to the  
the

the insertion in their place of the words "the Regular Troops in the Colony ought to be supplemented by a National Militia composed of Citizens of the Country,"—stated,—

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

Ayes, 10.

Mr. Parkes,	Mr. Dalley,	
Mr. Wisdom,	Mr. G. Lang,	
Mr. Wilson,	Mr. Pemell,	
Mr. Hoskins,	Mr. Cooper,	} Tellers.
Mr. Robertson,	Mr. Windeyer.	

Noes, 41.

Mr. Forster,	Mr. Asher,	
Mr. Samuel,	Mr. Oakes,	
Mr. Gordon,	Mr. Cape,	
Mr. Weekes,	Mr. Black,	
Mr. Clements,	Mr. Flett,	
Mr. Byrnes,	Mr. Arnold,	
Mr. McArthur,	Mr. Jones,	
Mr. Dickson,	Mr. Rotton,	
Mr. Wild,	Mr. Scott,	
Mr. Lyons,	Mr. Loder,	
Mr. Gray,	Mr. Broughton,	
Mr. Morris,	Mr. Cummings,	
Mr. Hamilton,	Mr. Oxley,	
Mr. Piddington,	Mr. Hay,	
Mr. Laidlaw,	Mr. Roberts,	
Mr. Lord,	Mr. Campbell,	
Mr. Russell,	Mr. Plunkett,	
Mr. Hyeronimus,	Mr. Garrett,	
Mr. Macleay,	Mr. Hawkins,	} Tellers.
Mr. Murray,	Mr. Hodgson.	
Mr. Nott,		

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

The House divided.

Ayes, 39.

Mr. Byrnes,	Mr. Clements,	
Mr. Hodgson,	Mr. McArthur,	
Mr. Plunkett,	Mr. Hawkins,	
Mr. Loder,	Mr. Nott,	
Mr. Scott,	Mr. Samuel,	
Mr. Laidlaw,	Mr. Black,	
Mr. Macleay,	Mr. Forster,	
Mr. Cape,	Mr. Windeyer,	
Mr. Morris,	Mr. Campbell,	
Mr. Hyeronimus,	Mr. Roberts,	
Mr. Wild,	Mr. Hay,	
Mr. Flett,	Mr. Hoskins,	
Mr. Gray,	Mr. Wisdom,	
Mr. Parkes,	Mr. Cummings,	
Mr. Robertson,	Mr. Oxley,	
Mr. Lord,	Mr. Broughton,	
Mr. Hamilton,	Mr. Asher,	
Mr. Murray,	Mr. Garrett,	} Tellers.
Mr. Russell,	Mr. Lyons.	
Mr. Piddington,		

Noes, 11.

Mr. Cooper,	Mr. Wilson,	
Mr. Gordon,	Mr. Dalley,	
Mr. Weekes,	Mr. Jones,	
Mr. Dickson,	Mr. Rotton,	} Tellers.
Mr. Oakes,	Mr. Arnold.	
Mr. G. Lang,		

Whereupon Question (2) *as amended*, That the regular troops in the Colony ought to be supplemented by a National Militia composed of citizens of the Country,—put and passed.

Question (3).—That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this Colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organization,—put and passed.

Question (4).—That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters,—put and passed.

Mr. Hodgson not moving the Contingent Motion standing in his name on the Notice Paper for to-day, it dropped.

Question (5.) put—That the foregoing resolutions be conveyed in an Address to the Governor General, with a request that His Excellency will be pleased to bring them under the consideration of the Executive Council; and also to transmit a copy of the same to Her Majesty's Principal Secretary of State for the Colonies.

The House divided.

Ayes, 42.

Mr. Forster,	Mr. Plunkett,	
Mr. Black,	Mr. Loder,	
Mr. Samuel,	Mr. Scott,	
Mr. Nott,	Mr. Laidlaw,	
Mr. Hawkins,	Mr. Macleay,	
Mr. McArthur,	Mr. Cape,	
Mr. Clements,	Mr. Morris,	
Mr. Piddington,	Mr. Asher,	
Mr. Russell,	Mr. Wisdom,	
Mr. Murray,	Mr. Hoskins,	
Mr. Hamilton,	Mr. Cummings,	
Mr. Robertson,	Mr. Flood,	
Mr. Windeyer,	Mr. Wilson,	
Mr. Parkes,	Mr. Hay,	
Mr. Gray,	Mr. Campbell,	
Mr. Flett,	Mr. Roberts,	
Mr. Wild,	Mr. Broughton,	
Mr. Hyeronimus,	Mr. Oxley,	
Mr. Byrnes,	Mr. Garrett,	
Mr. Cooper,	Mr. Lord,	} Tellers.
Mr. Hodgson,	Mr. Lyons,	

Noes, 8.

Mr. Gordon,	Mr. Oakes,	
Mr. Rotton,	Mr. G. Lang,	
Mr. Jones,	Mr. Dickson,	} Tellers.
Mr. Arnold,	Mr. Weekes,	

5. Attendance of Member of Legislative Council :—The Speaker reported that during the Debate of the Question last before the House, the following Message was received from the Legislative Council,—

MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated the 16th instant, requesting leave for the Honorable John Alexander, Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly to inquire into and report upon the "*St. Andrew's College Bill*," the Council acquaints the Assembly that leave has been granted to its said Member to attend and be examined by the said Committee if he think fit.

W. W. BURTON,

President.

Legislative Council Chamber,  
Sydney, 20 December, 1859.

6. State Aid to Religion :—

(1.) Mr. Flett presented a Petition from certain Inhabitants of the Macleay River District, praying that State Aid to Religion may not be abolished.  
Petition received.

(2.) Mr. Roberts presented a Petition from certain Church Wardens and Inhabitants, members of the Church of England, Bungonia, against the abolition of State Aid to Religion.  
Petition received.

7. Minister for Public Works :—Mr. Robertson moved, pursuant to notice,—

(1.) That, in the opinion of this House, the Minister charged with the control of the Expenditure for Public Works ought to be a Member of the Legislative Assembly.

(2.) That this House particularly disapproves of the office of Minister for Public Works being held by a gentleman who has never been elected by the people to the position of a Member of Parliament.

Mr. Egau moved, That the Debate of this Question be now adjourned until to-morrow at Three o'clock, with precedence over all other business on the Paper.

Debate ensued,—

Question put for adjournment of the Debate,—

The House divided.

Ayes, 14.

Mr. Rotton,	Mr. Gordon,	
Mr. Garrett,	Mr. Weekes,	
Mr. Hoskins,	Mr. Campbell,	
Mr. Egan,	Mr. Wilson,	
Mr. Gray,	Mr. Ryan,	
Mr. Robertson,	Mr. Cooper,	} Tellers.
Mr. Byrnes,	Mr. Lyons.	

Noes, 39.

Dr. Lang,	Mr. Samuel,	
Mr. Laycock,	Mr. Black,	
Mr. Loder,	Mr. Forster,	
Mr. Asher,	Mr. Broughton,	
Mr. Plunkett,	Mr. Oakes,	
Mr. Oxley,	Mr. Flood,	
Mr. Macleay,	Mr. Jones,	
Mr. Hyeronimus,	Mr. Arnold,	
Mr. Atkinson,	Mr. Wisdom,	
Mr. Murray,	Mr. Flett,	
Mr. Clements,	Mr. Piddington,	
Mr. Hart,	Mr. Lord,	
Mr. Cummings,	Mr. Cape,	
Mr. Russell,	Mr. Hay,	
Mr. Windeyer,	Mr. Laidlaw,	
Mr. Roberts,	Mr. Scott,	
Mr. Hamilton,	Mr. Morris,	
Mr. Dalley,	Mr. Hawkins,	} Tellers.
Mr. Nott,	Mr. Parkes.	
Mr. G. Lang,		

Debate of the Question ensued.

Mr. Hawkins moved the Previous Question.

And the House continuing to sit till after midnight :—

WEDNESDAY, 21 DECEMBER, 1859.

Debate continued.

Mr. Gray moved, That this Debate be now adjourned until to-morrow, and have precedence over all other business on the Paper.

Debate continued.

Question put on motion for adjournment of the Debate.

The House divided.

Ayes 15.

Mr. Windeyer,	Mr. Flood,	} Tellers.
Mr. Hoskins,	Mr. Wisdom.	
Mr. Robertson,		
Mr. Egan,		
Mr. Gray,		
Mr. Wilson,		
Mr. Garrett,		
Mr. Campbell,		
Mr. Scott,		
Mr. Oakes,		
Mr. Byrnes,		
Mr. Rotton,		
Mr. Jones,		

Noes 25.

Mr. Forster,	Mr. Martin,	
Mr. Samuel,	Mr. Roberts,	
Mr. Black,	Mr. Cummings,	
Mr. Parkes,	Mr. Laycock,	
Mr. Wild,	Mr. Loder,	
Mr. Dalley,	Mr. Plunkett,	
Mr. Clements,	Mr. Oxley,	
Mr. Piddington,	Mr. Macleay,	
Mr. Hamilton,	Mr. Flett,	
Mr. Russell,	Mr. Murray,	
Mr. Laidlaw,	Mr. Hawkins,	} Tellers.
Mr. Lord,	Mr. Morris,	
Mr. Hyeronimus,		

Debate

Debate continued.

Mr. Rotton moved, That this House do now adjourn.

Debate continued.

Question put,—That this House do now adjourn.

The House divided.

#### Ayes 21.

Mr. Forster,	Mr. Macleay,	
Mr. Samuel,	Mr. Oxley,	
Mr. Black,	Mr. Lord,	
Mr. Hawkins,	Mr. Hamilton,	
Mr. Russell,	Mr. Loder,	
Mr. Piddington,	Mr. Plunkett,	
Mr. Laidlaw,	Mr. Murray,	
Mr. Hieronimus,	Mr. Laycock,	
Mr. Roberts,	Mr. Clements,	} Tellers.
Mr. Cummings,	Mr. Wild,	
Mr. Morris,		

#### Noes 21.

Mr. G. Lang,	Mr. Arnold,	
Mr. Jones,	Mr. Hoskins,	
Mr. Flood,	Mr. Oakes,	
Mr. Wisdom,	Mr. Scott,	
Mr. Rotton,	Mr. Egan,	
Mr. Windeyer,	Mr. Dalley,	
Mr. Flett,	Mr. Garratt,	
Mr. Campbell,	Mr. Parkes,	
Mr. Martin,	Mr. Byrnes,	} Tellers.
Mr. Wilson,	Mr. Robertson,	
Mr. Gray,		

And the numbers being equal, the Speaker gave his casting vote with the Noes, and declared the Question to have passed in the *negative* ;—

Whereupon motion made by Mr. Flood and Question, that this Debate be now adjourned until three o'clock p.m. to-day, with precedence over all other business on the Paper—put and passed.

The House adjourned at twenty-five minutes after One o'clock a.m., until Three o'clock p.m. to-day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, DECEMBER 21.

### Contingent Notices of Motion :—

1. MR. SAMUEL to move, (*in Committee of Supply*), That there be appropriated a sum not exceeding £78,000, to defray the expenses of the various Departments and Services of the Colony, for the month of January, 1860, at the rate sanctioned for the present year; and a sum not exceeding £14,000, for the construction of Roads and Bridges, and Works and Buildings during the same month.
2. DR. LANG to move (*on the proposal of the Honorable the Colonial Secretary to move the second reading of the Elective Legislative Council Bill*),—That, in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony.

### OTHER BUSINESS—ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Robertson's motion,—  
 “ (1.) That, in the opinion of this House, the Minister charged with the control of the Expenditure for Public Works ought to be a Member of the Legislative Assembly.  
 “ (2.) That this House particularly disapproves of the office of Minister for Public Works being held by a gentleman who has never been elected by the people to the position of “ a Member of Parliament,”—Upon which Mr. Hawkins had moved the Previous Question.

### GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. SAMUEL to move for leave to bring in a Bill to facilitate the Engagement of Seamen for the Inter-Colonial Trade.
2. MR. SAMUEL to move for leave to bring in a Bill further to amend the Laws relating to Pilotage.
3. MR. SAMUEL to move, That the Standing Orders be suspended, in so far as will permit of the passing through its remaining stages to-day of the “ *Bill to enable the Government to raise a certain loan to pay off Debentures falling due in 1860.*”
4. MR. FORSTER to move,—  
 (1.) That until otherwise provided this House shall sit on Mondays.  
 (2.) That Government Business shall have precedence on Tuesdays, so long as the foregoing Resolution shall have effect.

### ORDERS OF THE DAY :—

1. Loan Bill for 1860; second reading.
2. Ways and Means; Resumption of the Committee.
3. Elective Legislative Council Bill; second reading.
4. Certain Public Officers' Salaries Reduction Bill; To be further considered in Committee.
5. Arms Act Continuation Bill; second reading.
6. Telegraphic Communication with United Kingdom; Further consideration in Committee of Address for Subsidy towards.
7. Supply; Resumption of the Committee.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WISDOM to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions in the case of Charles Skerrett, who was recently committed for cattle stealing by the Bench of Magistrates at Wingham; also, Copies of the Depositions taken in the case of the same person, committed by the same Bench for unlawfully presenting fire-arms.

2. MR. FLETT to move, That the Petition from the Macleay River relative to State Aid to Religion, presented by him on the 20th instant, be printed.
3. MR. ROBERTS to move, That the Petition from Bungonia relative to State Aid to Religion, presented by him on the 20th instant, be printed.
4. MR. CUMMINGS to move, That the Select Committee on the "*Condition of the Bathurst Road*," have leave to inquire also into the management and construction of the Road.
5. MR. COOPER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A copy of the Warehousekeeper's list of deficiencies lately discovered in the Bonded Warehouses in Sydney.
  - (2.) A copy of the Collector's Report on these deficiencies.
  - (3.) A copy of correspondence between the Collector and any Bonded Warehousekeeper as to deficiencies in Teas imported in 1856.
  - (4.) Copies of documents shewing the alterations which were made in the weights of the Teas after landing.
  - (5.) The amount of duty paid in 1856 on Teas imported by the ship "*Hirondelle*" in that year.
  - (6.) The date when the duty on the Teas per "*Hirondelle*" were paid.
6. MR. SCOTT to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates of Expenditure for this year, a sum of £3,236 10s. 3d., to be paid to Mr. John Moore Dillon, the late Criminal Crown Solicitor, in lieu of Pension for loss of Office.
7. MR. CAPE to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Additional Estimates for 1860, the sum of £200 for a Wharf and its approaches at Gosford, for steamers and vessels in the timber trade; also, the sum of £100 for a Wharf and its approaches, at Mangrove, on the Hawkesbury River:
8. MR. CLEMENTS to move,—
  - (1.) That in the opinion of this House, a survey of a Line for Railway from Bathurst, to meet the Victoria Line at Echuca, ought to be made at an early period of the ensuing year.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.
9. MR. DALLEY to move, That there be laid on the Table of this House copies of all correspondence between Mr. Andrew Lenchan and the Government, with reference to a claim of Mr. Lenchan's for works performed at Government House.
10. MR. JAMISON to move, That the Petition from Penrith, relative to State Aid to Religion, presented by him on the 15th instant, be printed.
11. CAPTAIN RUSSELL to move, That this House do meet on Tuesdays, Wednesdays, Thursdays, and Fridays, at 10 o'clock A.M., instead of 8 o'clock P.M., for the dispatch of business.
12. MR. PIDDINGTON to move, That the Petition from Wilberforce and Windsor, relative to certain Tolls levied under the Act 2 William 4, No. 12, presented by him on the 16th instant, be printed.
13. MR. WEEKES to move for leave to bring in a Bill to amend the Sydney Insurance Company's Act of 1855.
14. MR. CLEMENTS to move, That on the rising of this House on Thursday next, it do adjourn until Tuesday, the 17th of January, 1860.
15. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Supplementary Estimates for 1860, the following sums :—
  - £7,000 for the construction of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst.
  - £300 for the construction of a Bridge across the Bellubulla Creek, on the main line of road from Bathurst to Nanamai.
  - £300 for the construction of a Bridge across Ugowra Creek, at or near the junction of said creek with the Lachlan River, on main road to Balranald.
  - £200 for the construction of a Bridge across the Carrawobbidy Creek, being on the main road from Nanamai to Balranald.
  - £300 for the construction of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala Gold Fields.

#### ORDERS OF THE DAY :—

1. Report of Standing Orders Committee on Proceedings in Committee of Supply; To be considered in Committee.
2. Salary of Chief Justice during Absence of Sir Alfred Stephen; consideration in Committee of an Address for.
3. Tolls Amendment Act Repeal Bill; second reading.
4. Resumption of the adjourned Debate on the Rev. Dr. Lang's motion, "That the Duration of Legislative Assemblies Limitation Bill be now read a second time."—Upon which Mr. Piddington had moved the Previous Question.
5. Lien on Wool Act Continuation Bill; second reading.
6. Newcastle Wallsend Coal Company's Railway Bill; second reading.
7. Cattle Driving Act Amendment Bill; third reading.

8. Capital Punishments Abolition Bill; second reading.
9. Law of Primogeniture Abolition Bill; second reading.
10. Resumption of the adjourned Debate on Dr. Lang's motion,—  
 “(1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.  
 “(2.) That such Committee consist of the following Members, -viz. :—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rutton, Mr. Laycock, and the Mover.”
11. Tanners and Carriers Bill; second reading.
12. Wesley College Bill; second reading.

*Questions :—*

1. MR. CAPE to ask THE COLONIAL TREASURER (on the motion being made for going into Committee of Supply),—  
 (1.) How far it would be a saving of expenditure and an advantage to the public if the Customs Stations at Botany and Broken Bay Heads were made Police and Ferry Stations?  
 (2.) What services are at present rendered by the establishments referred to?
2. MR. HAWKINS to ask THE SECRETARY FOR LANDS,—Whether there is any re-survey of the Township of Sofala now going on; if so, whether that survey will affect the boundaries of the present holders of town property; and should such be the case, what arrangements does the Government intend making with the parties who have made large improvements in that township?
3. DR. LANG to ask THE COLONIAL SECRETARY,—Whether the Government intend establishing a Court of Petty Sessions at Cundletown, on the Lower Manning, agreeably to a Petition from the Inhabitants of that District, which he had the honor to submit to the late Premier, who agreed to concede the prayer of the Petitioners?
4. MR. ARNOLD to ask THE MINISTER REPRESENTING THE WAR DEPARTMENT OF THE GOVERNMENT,—When and in what manner the Government purpose to give effect to the resolutions on the Defences of the Colony?
5. MR. NOTT to ask THE COLONIAL TREASURER,—  
 (1.) Seeing that it is probable a considerable quantity of dutiable goods is being daily conveyed across the Border, from Moreton Bay to the stations and townships north of the Clarence, whereby a great loss must accrue to the Revenue of New South Wales,—have the Government taken any means for the collection of the duties on such goods; or do they intend doing so?  
 (2.) Have the Government taken any steps to prevent the Gold raised on the New England Gold Fields passing out of this Colony to Queensland, without payment of the export duty; or is it their intention to do so?
6. MR. LAYCOCK to ask THE COLONIAL SECRETARY,—Whether the Ministry contemplate taking any steps to enable parties entitled to vote (but whose names may not appear on the Electoral Roll for 1860, either through the culpability of the Collectors, or their own inattention) to exercise that privilege?

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THURSDAY, DECEMBER 22.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. DARK to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.

*Questions :—*

1. MR. ASHER to ask THE SECRETARY FOR LANDS,—  
 (1.) Whether, in the event of an adjournment during the Christmas Holidays, it would not be desirable that the Government should prepare a Land Bill suitable to the wants of the Colony?  
 (2.) Whether the Government are aware that they will ensure a greater amount of confidence, both inside and outside of this House, should they at once accede to the many solicitations for the immediate settlement of the Land Question, and lay upon the Table of this House a Land Bill, so soon as the House meet after Christmas?  
 (3.) Whether the Government are aware that the delaying of this important measure, viz., the settlement of the Land Question, is prejudicial to their progress in carrying out the business of the country?  
 (4.) What was the time taken by the present Victorian Government, after taking office, in preparing and introducing a Land Bill; and if it is not possible for the Government of New South Wales to prepare and introduce a Land Bill into this Parliament in a similar space of time to that taken by that Government?
2. MR. ASHER to ask THE COLONIAL SECRETARY,—Whether the Government intend establishing a Free Library in the City of Sydney; and if so, when?
3. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—In reference to the Correspondence published by order of this House, respecting the removal of Mr. Meymott from the office of Crown Prosecutor,—Whether the present Government are aware that a letter from Mr. Meymott to the late Colonial Secretary, dated 29th June 1859, has been omitted?

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FRIDAY,



FRIDAY, DECEMBER 23.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. MR. HOSKINS to move, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the ensuing year the sum of £3,000, as a Reward Fund for the discovery of new "Gold Fields."
3. MR. PARKES to move,—That in the opinion of this House an Amendment of the Law regulating the Sale and Occupation of the Crown Lands is called for by the public interest, and ought not to be delayed beyond the present Session of Parliament.
4. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
5. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
  - (1.) A copy of the Regulations issued by the Inspector General of Police, as a guide for the Police of New South Wales.
  - (2.) A copy of the Regulations for Public Conveyances to and from the City and Suburbs of Sydney.
  - (3.) A copy of the Regulations or Instructions for the abatement of the Dog nuisance in Sydney, and the chief Towns of the Colony.
  - (4.) A Return of all Fees paid, and of penalties enforced under the Dog Acts, at the various Police Offices of the Metropolis and Townships of the Colony.
6. MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
  - (1.) Copies of all correspondence that have taken place between the Executive and Mr. W. B. Riley, relating to his appointment to, and removal from the Commission of the Peace.
  - (2.) Copies of all correspondence that has taken place between the Executive Government, and any person or persons upon the same subject.
  - (3.) Also copy of any Minutes of the Executive Council in reference thereto.
7. MR. MARTIN to move the following Resolutions :—
  - (1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony, any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders.
  - (2.) That this House is further of opinion that no portion of this Colony should have been separated from it and erected into a new Colony unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.
  - (3.) That inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony, lying between the 26th and 30th degrees of south latitude, petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent, by which such separation has been announced.
8. DR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd September last, be now taken into consideration.

ORDERS OF THE DAY :—

1. Revenue and Audit Bill ; second reading.
2. Parramatta Water Protection Bill ; second reading.

TUESDAY, DECEMBER 27.

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.
2. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Government and any person or persons, and also any other papers, relative to the change of Escort from the Timbarra Gold Fields.

TUESDAY,

TUESDAY, JANUARY 3.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Crown Lands Sales Bill ; second reading.
  2. Crown Lands Occupation Bill ; second reading.
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FRIDAY, JANUARY 6.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Importation of Cattle Regulation Bill ; second reading.
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FRIDAY, JANUARY 13.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Primary Education Encouragement Bill ; Resumption of the adjourned debate on Mr. Oxley's motion, That this Bill be now read a second time.

DANIEL COOPER,  
*Speaker.*

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No. 46.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 21 DECEMBER, 1859.

1. The House met pursuant to adjournment.

Unavoidable Absence of Mr. Speaker :—The House being informed by the Clerk, of the unavoidable absence of Mr. Speaker, who had addressed to him, to-day, the following note, which he read to the House,—

Woolahra, 21st December, 1859.

MY DEAR MR. O'CONNOR,

I feel that I cannot undertake the duties of the Chair this evening, without great risk of interrupting the proceedings of the House, and again delaying the business; I therefore request, that you will be good enough to ask the House to allow Mr. Piddington to perform my duties this day.

Believe me,

Yours very faithfully,

DANIEL COOPER.

And the Clerk having read to the House the second section of the Standing Orders, which provides that, "Whenever the House shall be informed of the unavoidable absence of the Speaker, the Chairman of Committees shall take the Chair, for that day only, and, in the event of the Speaker's absence continuing for more than one day, shall, if the House think fit, and so order it, take the Chair in like manner on any subsequent day during such absence,"—

And observed that, under that provision, the Chairman of Committees, Mr. Piddington, would take the Chair as Deputy Speaker;—

Mr. Piddington took the Chair of the House for to-day.

2. Messages :—The Deputy Speaker reported the following Messages from the Legislative Council :—

- (1.) Judges Pensions Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act further to regulate and secure the Pensions of Retired Judges*," returns the same to the Legislative Assembly without amendment.

W. W. BURTON,  
President.

*Legislative Council Chamber,  
Sydney, 20 December, 1859.*

- (2.) Police Regulation Act Amendment Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to amend 'An Act for the Regulation of the Police Force'*," returns the same to the Legislative Assembly without amendment.

W. W. BURTON,  
President.

*Legislative Council Chamber,  
Sydney, 20 December, 1859.*

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

- (1.) Certain Correspondence respecting Claim of Mrs. Want.
  - (2.) Documents in reference to the Control possessed by the Executive Government over the Salaries of the Officers of the Sydney Branch of the Royal Mint.
  - (3.) Correspondence and Returns in reference to work done on private account, in Darlinghurst and Parramatta Gaols, from 1st January last.
- Ordered to be printed.

4. Recommendations for Appointment to the Commission of the Peace:—The following Message from His Excellency the Governor General, received and read:—

W. DENISON,

Message No. 13.

Governor General.

In reply to the Address from the Legislative Assembly, communicating the Resolutions adopted by the House, on the 16th instant, with reference to the Commission of the Peace, the Governor General informs the Legislative Assembly that steps will be taken by the Government to carry out the arrangements indicated in the Resolutions.

Government House,

20 December, 1859.

5. Minister for Public Works:—The Adjourned Debate on Mr. Robertson's motion,—  
 (1.) That in the opinion of this House the Minister charged with the control of the Expenditure for Public Works ought to be a Member of the Legislative Assembly.  
 (2.) That this House particularly disapproves of the office of Minister for Public Works being held by a gentleman who has never been elected by the people to the position of a Member of Parliament,—  
 Upon which Mr. Hawkins had moved the Previous Question,—resumed.  
 Previous Question put—That this Question be now put.  
 The House divided.

Ayes, 15.

Noes, 31.

Mr. Gray,  
 Mr. Hoskins,  
 Mr. Windeyer,  
 Mr. Parkes,  
 Mr. Atkinson,  
 Mr. Weekes,  
 Mr. Cooper,  
 Mr. Campbell,  
 Mr. Flood,  
 Mr. Oakes,  
 Mr. Rotton,  
 Mr. Byrnes,  
 Mr. G. Lang,  
 Mr. Robertson, } Tellers.  
 Mr. Wisdom.

Mr. Morris,  
 Mr. Forster,  
 Mr. Samuel,  
 Mr. Black,  
 Mr. Wild,  
 Mr. Hawkins,  
 Mr. Hamilton,  
 Mr. Lyons,  
 Mr. Darvall,  
 Mr. Murray,  
 Mr. Russell,  
 Mr. Laidlaw,  
 Mr. Lord,  
 Mr. Loder,  
 Mr. Hyeronimus,  
 Mr. Wilson,  
 Mr. Cummings,  
 Mr. Garrott,  
 Mr. Flett,  
 Mr. Laycock,  
 Mr. McArthur,  
 Mr. Hart,  
 Mr. Hodgson,  
 Mr. Cape,  
 Mr. Plunkett,  
 Mr. Sayers,  
 Mr. Hay,  
 Mr. Jones,  
 Rev. Dr. Lang,  
 Mr. Nott,  
 Mr. Clements. } Tellers.

6. Messages:—The following Messages received from the Legislative Council:—

(1.) Crown Lands Temporary Regulation Bill:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, sent herewith, intituled "*An Act to include the Intermediate within the Settled Districts*," with the amendments indicated in the annexed Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

W. W. BURTON,

President.

Legislative Council Chamber,

Sydney, 21 December, 1859.

Amendments, on motion of Mr. Forster, ordered to be considered in Committee at a later hour of the evening.

(2.) Maitland Gas Lighting Bill:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled "*An Act for enabling John Warn Tuck, to light with Gas the Towns of East Maitland and West Maitland, in the Colony of New South Wales*," presents the same to the Legislative Assembly for its concurrence.

W. W. BURTON,

President.

Legislative Council Chamber,

Sydney, 21 December, 1859.

7. Postponements:—

- (1.) Mr. Samuel postponed the motions standing in his name first and second on the Notice Paper of Government Business for to-day, until this day week.  
 (2.) Mr. Samuel postponed the motion standing in his name third on the Notice Paper of Government Business for to-day, until a later hour of the evening.  
 (3.) Mr. Forster postponed the motion standing in his name fourth on the Notice Paper of Government Business for to-day, until a later hour of the evening.  
 (4.) The second reading of the Loan Bill for 1860 postponed, on motion of Mr. Samuel, until a later hour of the evening.  
 (5.) The resumption of the Committee of Ways and Means postponed, on motion of Mr. Samuel, until a later hour of the evening.  
 (6.) The second reading of the Elective Legislative Council Bill postponed, on motion of Mr. Forster, until a later hour of the evening.  
 (7.) The further consideration in Committee of the Certain Public Officers' Salaries Reduction Bill postponed, on motion of Mr. Forster, until a later hour of the evening.

8. Arms Act Continuation Bill:—No Member moving the second reading of this Bill, it dropped.

9. Postponement:—The further consideration in Committee of an Address in reference to a Subsidy towards Telegraphic Communication with the United Kingdom postponed, on motion of Mr. Forster, until a later hour of the evening.
10. Supply:—On motion of Mr. Samuel, the Deputy Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the supply to be granted to Her Majesty for the service of the year 1859–60.  
The Chairman obtained leave to sit again to-morrow, and reported the following Resolutions:—  
(33.) Resolved, that there be granted to Her Majesty for the year 1860, to be provided for by loan, a sum not exceeding £365,600, to pay off Debentures falling due in 1860, being £281,700 for Railway Debentures; £21,000 for Public Works Debentures; £44,900 for Sydney Sewerage Debentures; and £18,000 for Sydney Water Works Debentures.  
(34.) Resolved, that there be appropriated a sum not exceeding £78,000, to defray the expenses of the various Departments and Services of the Colony, for the month of January, 1860, at the rate sanctioned for the present year; and a sum not exceeding £14,000, for the construction of Roads and Bridges, and Works and Buildings during the same month.  
Mr. Samuel then moved, That this House do now adopt these Resolutions.  
Question put and passed.
11. Crown Lands Temporary Regulation Bill:—On motion of Mr. Forster the Deputy Speaker left the Chair, and the House resolved itself into a Committee of the whole, for consideration of the amendments made in this Bill by the Legislative Council.  
The Chairman having reported that the Committee had agreed to the Amendments made in this Bill by the Legislative Council,—  
Mr. Forster moved, That this House do now adopt the Amendments so agreed to.  
Question put and passed;—  
Whereupon Mr. Forster moved, That the following Message be carried to the Legislative Council,—  
Mr. PRESIDENT,  
The Legislative Assembly has this day agreed to the Amendments made by the Legislative Council in the Bill, intituled, "*An Act to include the Intermediate within the Settled Districts.*"

Deputy Speaker.

*Legislative Assembly Chamber,  
Sydney, 21st December, 1859.*

- Question put and passed.
12. Postponements:—  
(1.) Mr. Samuel further postponed the motion standing in his name third on the Notice Paper of Government Business for to-day, until to-morrow.  
(2.) Mr. Forster further postponed the motion standing in his name fourth on the Notice Paper of Government Business for to-day, until to-morrow.  
(3.) The second reading of the Loan Bill for 1860 further postponed, on motion of Mr. Samuel, until to-morrow.  
(4.) The resumption of the Committee of Ways and Means further postponed, on motion of Mr. Samuel, until to-morrow.  
(5.) The second reading of the Elective Legislative Council Bill further postponed, on motion of Mr. Forster, until to-morrow.
13. Certain Public Officers Salaries' Reduction Bill:—Upon the Order of the Day being read, the Deputy Speaker left the Chair, and the House 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:—The further consideration in Committee of an Address in reference to a subsidy towards Telegraphic Communication with the United Kingdom, further postponed, on motion of Mr. Forster, until to-morrow.  
The House adjourned at twenty-five minutes before Twelve o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, DECEMBER 22.

### GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. SAMUEL to move, That the Standing Orders be suspended, in so far as will permit of the passing through its remaining stages to-day of the "*Bill to enable the Government to raise a certain loan to pay off Debentures falling due in 1860.*"
2. MR. FORSTER to move,—  
(1.) That until otherwise provided this House shall sit on Mondays.  
(2.) That Government Business shall have precedence on Tuesdays, so long as the foregoing Resolution shall have effect.

ORDERS

## ORDERS OF THE DAY :—

1. Supply; Resumption of the Committee.
2. Loan Bill for 1860; second reading.
3. Ways and Means; Resumption of the Committee.
4. Elective Legislative Council Bill; second reading.
5. Certain Public Officers' Salaries Reduction Bill; To be further considered in Committee.
6. Telegraphic Communication with United Kingdom; Further consideration in Committee of Address for Subsidy towards.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. DARK to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.
2. MR. WISDOM to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions in the case of Charles Skerrett, who was recently committed for cattle stealing by the Bench of Magistrates at Wingham; also, Copies of the Depositions taken in the case of the same person, committed by the same Bench for unlawfully presenting fire-arms.
3. MR. FLETT to move, That the Petition from the Macleay River relative to State Aid to Religion, presented by him on the 20th instant, be printed.
4. MR. ROBERTS to move, That the Petition from Bungonia relative to State Aid to Religion, presented by him on the 20th instant, be printed.
5. MR. CUMMINGS to move, That the Select Committee on the "*Condition of the Bathurst Road*," have leave to inquire also into the management and construction of the Road.
6. MR. COOPER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A copy of the Warehousekeeper's list of deficiencies lately discovered in the Bonded Warehouses in Sydney.
  - (2.) A copy of the Collector's Report on these deficiencies.
  - (3.) A copy of correspondence between the Collector and any Bonded Warehousekeeper as to deficiencies in Teas imported in 1856.
  - (4.) Copies of documents shewing the alterations which were made in the weights of the Teas after landing.
  - (5.) The amount of duty paid in 1856 on Teas imported by the ship "*Hirondelle*" in that year.
  - (6.) The date when the duty on the Teas per "*Hirondelle*" were paid.
7. MR. SCOTT to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates of Expenditure for this year, a sum of £3,236 10s. 3d., to be paid to Mr. John Moore Dillon, the late Criminal Crown Solicitor, in lieu of Pension for loss of Office.
8. MR. CAPE to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Additional Estimates for 1860, the sum of £200 for a Wharf and its approaches at Gosford, for steamers and vessels in the timber trade; also, the sum of £100 for a Wharf and its approaches, at Mangrove, on the Hawkesbury River.
9. MR. CLEMENTS to move,—
  - (1.) That in the opinion of this House, a survey of a Line for Railway from Bathurst, to meet the Victoria Line at Echuca, ought to be made at an early period of the ensuing year.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.
10. MR. DALLEY to move, That there be laid on the Table of this House copies of all correspondence between Mr. Andrew Lenahan and the Government, with reference to a claim of Mr. Lenahan's for works performed at Government House.
11. MR. JAMISON to move, That the Petition from Penrith, relative to State Aid to Religion, presented by him on the 15th instant, be printed.
12. CAPTAIN RUSSELL to move, That this House do meet on Tuesdays, Wednesdays, Thursdays, and Fridays, at 10 o'clock A.M., instead of 3 o'clock P.M., for the dispatch of business.
13. MR. PIDDINGTON to move, That the Petition from Wilberforce and Windsor, relative to certain Tolls levied under the Act 2 William 4, No. 12, presented by him on the 16th instant, be printed.
14. MR. WEEKES to move for leave to bring in a Bill to amend the Sydney Insurance Company's Act of 1855.
15. MR. CLEMENTS to move, That on the rising of this House on Thursday next, it do adjourn until Tuesday, the 17th of January, 1860.
16. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Supplementary Estimates for 1860, the following sums :—
 

£7,000 for the construction of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst.

£300 for the construction of a Bridge across the Bellubulla Creek, on the main line of road from Bathurst to Nanamai.

£300 for the construction of a Bridge across Ugowra Creek, at or near the junction of said creek with the Lachlan River, on main road to Balranald.

£200 for the construction of a Bridge across the Carrawobiddy Creek, being on the main road from Nanamai to Balranald.

£300 for the construction of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala Gold Fields.

**ORDERS OF THE DAY :—**

1. Report of Standing Orders Committee on Proceedings in Committee of Supply; To be considered in Committee.
2. Salary of Chief Justice during Absence of Sir Alfred Stephen; consideration in Committee of an Address for.
3. Tolls Amendment Act Repeal Bill; second reading.
4. Resumption of the adjourned Debate on the Rev. Dr. Lang's motion, "That the Duration of Legislative Assemblies Limitation Bill be now read a second time."—Upon which Mr. Piddington had moved the Previous Question.
5. Lien on Wool Act Continuation Bill; second reading.
6. Newcastle Wallsend Coal Company's Railway Bill; second reading.
7. Cattle Driving Act Amendment Bill; third reading.
8. Capital Punishments Abolition Bill; second reading.
9. Law of Primogeniture Abolition Bill; second reading.
10. Resumption of the adjourned Debate on Dr. Lang's motion,—  
 "(1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.  
 "(2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
11. Tanners and Carriers Bill; second reading.
12. Wesley College Bill; second reading.

**Questions :—**

1. MR. CAPE to ask THE COLONIAL TREASURER (on the motion being made for going into Committee of Supply),—  
 (1.) How far it would be a saving of expenditure and an advantage to the public if the Customs Stations at Botany and Broken Bay Heads were made Police and Ferry Stations?  
 (2.) What services are at present rendered by the establishments referred to?
2. MR. ASHER to ask THE SECRETARY FOR LANDS,—  
 (1.) Whether, in the event of an adjournment during the Christmas Holidays, it would not be desirable that the Government should prepare a Land Bill suitable to the wants of the Colony?  
 (2.) Whether the Government are aware that they will ensure a greater amount of confidence, both inside and outside of this House, should they at once accede to the many solicitations for the immediate settlement of the Land Question, and lay upon the Table of this House a Land Bill, so soon as the House meet after Christmas?  
 (3.) Whether the Government are aware that the delaying of this important measure, viz., the settlement of the Land Question, is prejudicial to their progress in carrying out the business of the country?  
 (4.) What was the time taken by the present Victorian Government, after taking office, in preparing and introducing a Land Bill; and if it is not possible for the Government of New South Wales to prepare and introduce a Land Bill into this Parliament in a similar space of time to that taken by that Government?
3. MR. ASHER to ask THE COLONIAL SECRETARY,—Whether the Government intend establishing a Free Library in the City of Sydney; and if so, when?
4. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—In reference to the Correspondence published by order of this House, respecting the removal of Mr. Meymott from the office of Crown Prosecutor,—Whether the present Government are aware that a letter from Mr. Meymott to the late Colonial Secretary, dated 29th June 1859, has been omitted?
5. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether the Government have established, or are about to establish a Gold Escort between the Table Land Gold Field, Timbarra, and the Tooloom Gold Fields?
6. MR. ARNOLD to ask THE COLONIAL SECRETARY,—When and in what manner the Government purpose to give effect to the Resolutions on the Defences of the Colony?
7. MR. COOPER to ask THE COLONIAL SECRETARY,—If the Government intend to take any steps, and if so, what, for the purpose of rendering the accommodation of the Court House and Gaol at Braidwood equal to the requirements of the case?

**FRIDAY, DECEMBER 23.**

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. MR. HOSKINS to move, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the ensuing year the sum of £3,000, as a Reward Fund for the discovery of new "Gold Fields."

3. MR. PARKES to move,—That in the opinion of this House an Amendment of the Law regulating the Sale and Occupation of the Crown Lands is called for by the public interest, and ought not to be delayed beyond the present Session of Parliament.
4. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and showing the amended claim with its area.
5. MR. CAPE to move; That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
  - (1.) A copy of the Regulations issued by the Inspector General of Police, as a guide for the Police of New South Wales.
  - (2.) A copy of the Regulations for Public Conveyances to and from the City, and Suburbs of Sydney.
  - (3.) A copy of the Regulations or Instructions for the abatement of the Dog nuisance in Sydney, and the chief Towns of the Colony.
  - (4.) A Return of all Fees paid, and of penalties enforced under the Dog Acts, at the various Police Offices of the Metropolis and Townships of the Colony.
6. MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
  - (1.) Copies of all correspondence that have taken place between the Executive and Mr. W. R. Riley, relating to his appointment to, and removal from the Commission of the Peace.
  - (2.) Copies of all correspondence that has taken place between the Executive Government, and any person or persons upon the same subject.
  - (3.) Also copy of any Minutes of the Executive Council in reference thereto.
7. MR. MARTIN to move the following Resolutions:—
  - (1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony, any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders.
  - (2.) That this House is further of opinion that no portion of this Colony should have been separated from it and erected into a new Colony unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.
  - (3.) That inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony, lying between the 26th and 30th degrees of south latitude, petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent, by which such separation has been announced.
8. DR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd September last, be now taken into consideration.

ORDERS OF THE DAY:—

1. Revenue and Audit Bill; second reading.
2. Parramatta Water Protection Bill; second reading.

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TUESDAY, DECEMBER 27.

OTHER BUSINESS—NOTICES OF MOTION:—

1. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.
2. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Government and any person or persons, and also any other papers, relative to the change of Escort from the Timbarra Gold Fields.

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WEDNESDAY, DECEMBER 28.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. SAMUEL to move for leave to bring in a Bill to facilitate the Engagement of Seamen for the Inter-Colonial Trade.
2. MR. SAMUEL to move for leave to bring in a Bill further to amend the Laws relating to Pilotage.

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TUESDAY,



TUESDAY, JANUARY 3.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Crown Lands Sales Bill ; second reading.
  2. Crown Lands Occupation Bill ; second reading.
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FRIDAY, JANUARY 6.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Importation of Cattle Regulation Bill ; second reading.
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FRIDAY, JANUARY 13.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Primary Education Encouragement Bill ; Resumption of the adjourned debate on Mr. Oxley's motion, That this Bill be now read a second time.

DANIEL COOPER,  
*Speaker.*

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No. 47.

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

THURSDAY, 22 DECEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Case of James Hibburd :—Mr. Murray, 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 23rd September last, the case of James Hibburd, a convict sentenced to ten years' hard labor on the Roads or other Public Works, and said to have been prematurely released from Cockatoo Island, in June, 1858.  
 Ordered to be printed.
2. Thomas George Rusden, Esquire :—Mr. Gray presented a Petition from Thomas George Rusden, praying the House to allow a strict scrutiny of the Ballot Papers used at the late General Election, in the Election of a Member to serve for the Electoral District of New England, at which the Petitioner may be present, or that the House will take such steps as may best afford justice upon the premises in the Petition set forth.  
 Petition received.
3. Motions withdrawn :—  
 (1.) Mr. Samuel withdrew the motion standing in his name first on the Notice Paper of Government Business for to-day.  
 (2.) Mr. Forster withdrew the motion standing in his name second on the Notice Paper of Government Business for to-day.
4. Supply :—On motion of Mr. Samuel the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty for the Service of the year 1859-60.  
 The Chairman reported progress, and obtained leave to sit again at a later hour of the evening.
5. Messages :—  
 The following Messages from His Excellency the Governor General received and read :—  
 (1.) Police Regulation Act Amendment Bill :—  
 W. DENISON, Message No. 14.  
*Governor General.*  
 A Bill, intituled "*An Act to amend 'An Act for the Regulation of the Police Force,'*" as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.  
*Government House,*  
*Sydney, 22 December, 1859.*  
 (2.) Crown Lands Temporary Regulation Bill :—  
 W. DENISON, Message No. 15.  
*Governor General*  
 A Bill, intituled "*An Act to include the Intermediate within the Settled Districts,*" as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.  
*Government House,*  
*Sydney, 22 December, 1859.*

(3.)

## (3.) Judges' Pensions Bill :—

W. DENISON,

*Governor General.**Message No. 16.*

A Bill, intituled "An Act further to regulate and secure the Pensions of retired Judges," as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,**Sydney, 22 December, 1859.*

6. Maitland Gas Lighting Bill :—The Speaker reported the following Message from the Legislative Council :—

MR. SPEAKER,

In reference to a Bill intituled, "An Act for enabling John Warn Tuck to light with Gas the Towns of East Maitland and West Maitland, in the Colony of New South Wales," presented by a Message, dated yesterday, to the Legislative Assembly for its concurrence, the Legislative Council herewith communicates a copy of the Report from and Evidence taken before its Select Committee thereon.

W. W. BURTON,

President.

*Legislative Council Chamber,**Sydney, 22 December, 1859.*

7. [Supply :—On motion of Mr. Forster the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the Service of the year 1859-60.

The Chairman reported progress, and obtained leave to sit again to-morrow.

8. Adjournment :—Mr. Forster moved; That this House do now adjourn until Three o'clock "to-morrow."

Mr. Clements moved, That the Question be amended by the omission of the word "to-morrow," with a view to add the words and figures "on Tuesday, the 17th day of January next."

Debate ensued.

And the House continuing to sit till after midnight,—

**FRIDAY, 23 DECEMBER, 1859.**

Debate continued.

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

The House divided.

**Ayes, 22.**

Mr. Forster,	Mr. Gray,	
Mr. Black,	Mr. Martin,	
Mr. Samuel,	Mr. Hyeronimus,	
Mr. Parkes,	Mr. Laycock,	
Mr. Robertson,	Mr. Byrnes,	
Mr. Wisdom,	Rev. Dr. Lang,	
Mr. Windeyer,	Mr. Scott,	
Mr. Hoskins,	Mr. Murray,	
Mr. McArthur,	Mr. Flood,	
Mr. Weekes,	Mr. Arnold,	} Tellers.
Mr. Dalley,	Mr. Morris,	

**Noes 19.**

Mr. Hamilton,	Mr. Roberts,	
Mr. Wild,	Mr. Broughton,	
Mr. Clements,	Mr. Sayers,	
Mr. Piddington,	Mr. G. Lang,	
Mr. Egan,	Mr. Flett,	
Mr. Hay,	Mr. Jones,	
Mr. Loder,	Mr. Plunkett,	
Mr. Ryan,	Mr. Nott,	} Tellers.
Mr. Laidlaw,	Mr. Wilson,	
Mr. Cummings,		

Whereupon Original Question put.

The House divided.

**Ayes, 33.**

Mr. Samuel,	Mr. Piddington,	
Mr. Forster,	Mr. Dalley,	
Mr. Black,	Mr. Broughton,	
Mr. Arnold,	Mr. Roberts,	
Mr. Robertson,	Mr. Wild,	
Mr. Parkes,	Mr. Flood,	
Mr. Gray,	Mr. Hay,	
Mr. Hoskins,	Mr. Jones,	
Mr. Hamilton,	Mr. Byrnes,	
Mr. Weekes,	Rev. Dr. Lang,	
Mr. McArthur,	Mr. Nott,	
Mr. Sayers,	Mr. Scott,	
Mr. Wisdom,	Mr. Murray,	
Mr. Martin,	Mr. Plunkett,	
Mr. Hyeronimus,	Mr. Morris,	} Tellers.
Mr. Laidlaw,	Mr. Windeyer,	
Mr. Laycock,		

**Noes, 8.**

Mr. Cummings,	Mr. Clements,	
Mr. Wilson,	Mr. Loder,	
Mr. G. Lang,	Mr. Flett,	} Tellers.
Mr. Ryan,	Mr. Egan,	

The House adjourned accordingly, at a quarter after One o'clock A.M., until Three o'clock P.M., to-day.

**NOTICES**

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, DECEMBER 23.

*Contingent Notice of Motion :—*

1. DR. LANG to move (on the proposal of the Honorable the Colonial Secretary to move the second reading of the *Elective Legislative Council Bill*),—That, in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. MR. HOSKINS to move, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the ensuing year the sum of £3,000, as a Reward Fund for the discovery of new "Gold Fields."
3. MR. PARKES to move,—That in the opinion of this House an Amendment of the Law regulating the Sale and Occupation of the Crown Lands is called for by the public interest, and ought not to be delayed beyond the present Session of Parliament.
4. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All Correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
5. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A copy of the Regulations issued by the Inspector General of Police, as a guide for the Police of New South Wales.
  - (2.) A copy of the Regulations for Public Conveyances to and from the City and Suburbs of Sydney.
  - (3.) A copy of the Regulations or Instructions for the abatement of the Dog nuisance in Sydney, and the chief Towns of the Colony.
  - (4.) A Return of all Fees paid, and of penalties enforced under the Dog Acts, at the various Police Offices of the Metropolis and Townships of the Colony.
6. MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) Copies of all correspondence that have taken place between the Executive and Mr. W. R. Riley, relating to his appointment to, and removal from the Commission of the Peace.
  - (2.) Copies of all correspondence that has taken place between the Executive Government, and any person or persons upon the same subject.
  - (3.) Also copy of any Minutes of the Executive Council in reference thereto.
7. MR. MARTIN to move the following Resolutions :—
  - (1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony; any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders.
  - (2.) That this House is further of opinion that no portion of this Colony should have been separated from it and erected into a new Colony unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.
  - (3.) That inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony, lying between the 26th and 30th degrees of south latitude, petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent, by which such separation has been announced.
8. DR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd September last, be now taken into consideration.
9. MR. JONES to move, That the Maitland Gas Lighting Bill be now read a first time.
10. MR. GRAY to move, That the Petition of Thomas George Rusden, Esquire, presented by him on the 22nd instant, be printed.
11. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Postmaster General and the Inhabitants of Gundaroo, relative to the site of the Post Office in that District.

12. MR. DARK to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.
13. MR. WISDOM to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions in the case of Charles Skerrett, who was recently committed for cattle stealing by the Bench of Magistrates at Wingham; also, Copies of the Depositions taken in the case of the same person, committed by the same Bench for unlawfully presenting fire-arms.
14. MR. FLETT to move, That the Petition from the Macleay River relative to State Aid to Religion, presented by him on the 20th instant, be printed.
15. MR. ROBERTS to move, That the Petition from Bungonia relative to State Aid to Religion, presented by him on the 20th instant, be printed.
16. MR. CUMMINGS to move, That the Select Committee on the "*Condition of the Bathurst Road*," have leave to inquire also into the management and construction of the Road.
17. MR. COOPER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
  - (1.) A copy of the Warehousekeeper's list of deficiencies lately discovered in the Bonded Warehouses in Sydney.
  - (2.) A copy of the Collector's Report on these deficiencies.
  - (3.) A copy of correspondence between the Collector and any Bonded Warehousekeeper as to deficiencies in Teas imported in 1856.
  - (4.) Copies of documents shewing the alterations which were made in the weights of the Teas after landing.
  - (5.) The amount of duty paid in 1856 on Teas imported by the ship "*Hirondelle*" in that year.
  - (6.) The date when the duty on the Teas per "*Hirondelle*" were paid.
18. MR. SCOTT to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates of Expenditure for this year, a sum of £3,236 10s. 3d., to be paid to Mr. John Moore Dillon, the late Criminal Crown Solicitor, in lieu of Pension for loss of Office.
19. MR. CAPE to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Additional Estimates for 1860, the sum of £200 for a Wharf and its approaches at Gosford, for steamers and vessels in the timber trade; also, the sum of £100 for a Wharf and its approaches, at Mangrove, on the Hawkesbury River.
20. MR. CLEMENTS to move,—
  - (1.) That in the opinion of this House, a survey of a Line for Railway from Bathurst, to meet the Victoria Line at Echuca, ought to be made at an early period of the ensuing year.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.
21. MR. DALLEY to move, That there be laid on the Table of this House copies of all correspondence between Mr. Andrew Lenchan and the Government, with reference to a claim of Mr. Lenchan's for works performed at Government House.
22. MR. JAMISON to move, That the Petition from Penrith, relative to State Aid to Religion, presented by him on the 15th instant, be printed.
23. CAPTAIN RUSSELL to move, That this House do meet on Tuesdays, Wednesdays, Thursdays, and Fridays, at 10 o'clock A.M., instead of 3 o'clock P.M., for the dispatch of business.
24. MR. PIDDINGTON to move, That the Petition from Wilberforce and Windsor, relative to certain Tolls levied under the Act 2 William 4, No. 12, presented by him on the 16th instant, be printed.
25. MR. WEEKES to move for leave to bring in a Bill to amend the Sydney Insurance Company's Act of 1855.
26. MR. CLEMENTS to move, That on the rising of this House to-day, it do adjourn until Tuesday, the 17th of January, 1860.
27. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Supplementary Estimates for 1860, the following sums:—
  - £7,000 for the construction of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst.
  - £300 for the construction of a Bridge across the Bellubulla Creek, on the main line of road from Bathurst to Nanamai.
  - £300 for the construction of a Bridge across Ugowra Creek, at or near the junction of said creek with the Lachlan River, on main road to Balranald.
  - £200 for the construction of a Bridge across the Carrawobiddy Creek, being on the main road from Nanamai to Balranald.
  - £300 for the construction of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala Gold Fields.

## ORDERS OF THE DAY:—

1. Revenue and Audit Bill; second reading.
2. Parramatta Water Protection Bill; second reading.
3. Report of Standing Orders Committee on Proceedings in Committee of Supply; To be considered in Committee.
4. Salary of Chief Justice during Absence of Sir Alfred Stephen; consideration in Committee of an Address for.
5. Tolls Amendment Act Repeal Bill; second reading.
6. Resumption of the adjourned Debate on the Rev. Dr. Lang's motion, "That the Duration of Legislative Assemblies Limitation Bill be now read a second time."—Upon which Mr. Piddington had moved the Previous Question.
7. Lien on Wool Act Continuation Bill; second reading.
8. Newcastle Wallsend Coal Company's Railway Bill; second reading.
9. Cattle Driving Act Amendment Bill; third reading.
10. Capital Punishments Abolition Bill; second reading.
11. Law of Primogeniture Abolition Bill; second reading.
12. Resumption of the adjourned Debate on Dr. Lang's motion,—  
 " (1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.  
 " (2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
13. Tanners and Curriers Bill; second reading.
14. Wesley College Bill; second reading.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Supply; Resumption of the Committee.
2. Loan Bill for 1860; second reading.
3. Ways and Means; Resumption of the Committee.
4. Elective Legislative Council Bill; second reading.
5. Certain Public Officers' Salaries Reduction Bill; To be further considered in Committee.
6. Telegraphic Communication with United Kingdom; Further consideration in Committee of Address for Subsidy towards.

## Questions:—

1. MR. CAPE to ask THE COLONIAL TREASURER (on the motion being made for going into Committee of Supply),—  
 (1.) How far it would be a saving of expenditure and an advantage to the public if the Customs Stations at Botany and Broken Bay Heads were made Police and Ferry Stations?  
 (2.) What services are at present rendered by the establishments referred to?
2. MR. COOPER to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to place on the Estimates of 1860 the sum of £400 for moorings at Tartar Bay?

## TUESDAY, DECEMBER 27.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.
2. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Government and any person or persons, and also any other papers, relative to the change of Escort from the Timbarra Gold Fields.
3. MR. GORDON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence, including Petitions, &c., addressed to the Government, or from the Government to any person or persons, on the subject of Dungog being proclaimed a place where a District Court should be held in the Northern District.

## WEDNESDAY, DECEMBER 28.

## GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. SAMUEL to move for leave to bring in a Bill to facilitate the Engagement of Seamen for the Inter-Colonial Trade.
2. MR. SAMUEL to move for leave to bring in a Bill further to amend the Laws relating to Pilotage.

TUESDAY,

TUESDAY, JANUARY 3.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Crown Lands Sales Bill ; second reading.
  2. Crown Lands Occupation Bill ; second reading.
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FRIDAY, JANUARY 6.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. HART to move for leave to bring in a Bill to give validity in certain cases to Deeds of Grant of Crown Lands issued to Foreigners.

ORDER OF THE DAY :—

1. Importation of Cattle Regulation Bill ; second reading.
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FRIDAY, JANUARY 13.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Primary Education Encouragement Bill ; Resumption of the adjourned debate on Mr. Oxley's motion, That this Bill be now read a second time.

DANIEL COOPER,  
*Speaker.*

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No. 48.

**VOTES AND PROCEEDINGS**

OF THE

**LEGISLATIVE ASSEMBLY.**

FRIDAY, 23 DECEMBER, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Adjournment:—Mr. Egan moved, That this House do now adjourn until Tuesday, the "thirty-first" day of January next,—  
Mr. Flood moved, That the Question be amended by the omission of the word "thirty-first," with a view to the insertion in its place of the word "tenth"—  
Debate ensued.
2. Member Sworn:—Henry Mort, Esquire, having taken the Oath, and subscribed the Roll, took his Seat as Member for the Electoral District of West Macquarie.
3. Adjournment:—The Debate on the motion for adjournment, interrupted by Mr. Mort taking the Oath,—resumed,—  
Question put,—That the word proposed to be omitted stand part of the Question.  
The House divided.

Ayes, 14.

Mr. Murray,	Mr. Hamilton,	} Tellers.
Mr. Cummings,	Mr. Egan,	
Mr. Russell,	Mr. Nott.	
Mr. Loder,		
Mr. Broughton,		
Mr. Robertson,		
Mr. Macleay,		
Mr. Flett,		
Mr. Wilson,		
Mr. Campbell,		
Mr. Laidlaw,		

Noes, 22.

Rev. Dr. Lang,	Mr. Piddington,	} Tellers.
Mr. Wild,	Mr. Scott,	
Mr. Samuel,	Mr. Cape,	
Mr. Black,	Mr. G. Lang,	
Mr. Forster,	Mr. Laycock,	
Mr. Hoskins,	Mr. Wisdom,	
Mr. Parkes,	Mr. Flood,	
Mr. Weekes,	Mr. Jones,	
Mr. Asher,	Mr. Plunkett,	
Mr. Cooper,	Mr. Dalley,	
Mr. Hyeronimus,	Mr. Morris.	

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

Ayes, 12.

Mr. Scott,	} Tellers.
Mr. Weekes,	
Mr. Hyeronimus,	
Mr. Campbell,	
Mr. G. Lang,	
Mr. Flood,	
Mr. Piddington,	
Mr. Plunkett,	
Rev. Dr. Lang,	
Mr. Jones,	
Mr. Wisdom,	
Mr. Cooper,	

Noes, 24.

Mr. Dalley,	Mr. Laidlaw,	} Tellers.
Mr. Robertson,	Mr. Flett,	
Mr. Samuel,	Mr. Laycock,	
Mr. Black,	Mr. Loder,	
Mr. Forster,	Mr. Murray,	
Mr. Hoskins,	Mr. Cummings,	
Mr. Parkes,	Mr. Hamilton,	
Mr. Asher,	Mr. Broughton,	
Mr. Wilson,	Mr. Cape,	
Mr. Egan,	Mr. Russell,	
Mr. Nott,	Mr. Wild,	
Mr. Macleay,	Mr. Morris.	

Motion made by Mr. Parkes, and Question put,—That in place of the word omitted the word "third" be inserted.  
The House divided.

Ayes, 12.

Mr. Hyeronimus,	} Tellers.
Mr. Asher,	
Mr. Morris,	
Mr. Weekes,	
Mr. Scott,	
Mr. Windeyer,	
Mr. Plunkett,	
Rev. Dr. Lang,	
Mr. Jones,	
Mr. Dalley,	
Mr. Hoskins,	
Mr. Parkes.	

Noes, 27.

Mr. Robertson,	Mr. Laycock,	} Tellers.
Mr. Wisdom,	Mr. Flett,	
Mr. Samuel,	Mr. Atkinson,	
Mr. Black,	Mr. Campbell,	
Mr. Forster,	Mr. Flood,	
Mr. Wilson,	Mr. Loder,	
Mr. Cooper,	Mr. Hamilton,	
Mr. Egan,	Mr. Piddington,	
Mr. Russell,	Mr. Broughton,	
Mr. Cummings,	Mr. G. Lang,	
Mr. Nott,	Mr. Cape,	
Mr. Macleay,	Mr. Mort,	
Mr. Laidlaw,	Mr. Wild.	

Motion

Motion made by Mr. Robertson, and Question put,—That in place of the word omitted the word "twenty-fourth" be inserted.  
The House divided.

Ayes, 24.

Mr. Cooper,	Mr. Jenkins,
Mr. Wilson,	Mr. Flood,
Mr. Cummings,	Mr. Macleay,
Mr. Russell,	Mr. Hamilton,
Mr. G. Lang,	Mr. Piddington,
Mr. Jones,	Mr. Ryan,
Mr. Laidlaw,	Mr. Murray,
Mr. Cape,	Mr. Mort,
Mr. Flett,	Rev. Dr. Lang,
Mr. Laycock,	Mr. Loder,
Mr. Broughton,	Mr. Robertson,
Mr. Campbell,	Mr. Nott.

} Tellers.

Noes, 17.

Mr. Plunkett,	Mr. Jones,
Mr. Samuel,	Mr. Dalley,
Mr. Black,	Mr. Forster,
Mr. Parkes,	Mr. Morris,
Mr. Wisdom,	Mr. Wild.
Mr. Windeyer,	
Mr. Hoskins,	
Mr. Atkinson,	
Mr. Weekes,	
Mr. Asher,	
Mr. Hyeronimus,	
Mr. Scott,	

} Tellers.

Whereupon Question put, *as amended*, That this House do now adjourn until Tuesday, the twenty-fourth day of January next.  
The House divided.

Ayes, 27.

Mr. Robertson,	Mr. Morris,
Mr. Wilson,	Mr. Jenkins,
Mr. Cummings,	Mr. Flood,
Mr. Russell,	Mr. Macleay,
Mr. G. Lang,	Mr. Hamilton,
Mr. Egan,	Mr. Piddington,
Mr. Laidlaw,	Mr. Ryan,
Mr. Cape,	Mr. Murray,
Mr. Jones,	Mr. Mort,
Mr. Flett,	Rev. Dr. Lang,
Mr. Laycock,	Mr. Loder,
Mr. Broughton,	Mr. Nott,
Mr. Darvall,	Mr. Cooper.

} Tellers.

Noes, 13.

Mr. Plunkett,
Mr. Samuel,
Mr. Black,
Mr. Forster,
Mr. Wisdom,
Mr. Windeyer,
Mr. Hoskins,
Mr. Atkinson,
Mr. Asher,
Mr. Weekes,
Mr. Scott,
Mr. Wild,
Mr. Parkes.

} Tellers.

The House adjourned accordingly, at twenty-two minutes before Five o'clock, until Tuesday the Twenty-fourth day of January next, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JANUARY 24.

### Contingent Notice of Motion :—

1. DR. LANG to move (on the proposal of the Honorable the Colonial Secretary to move the second reading of the *Elective Legislative Council Bill*),—That, in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. MR. HOSKINS to move, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the ensuing year the sum of £3,000, as a Reward Fund for the discovery of new "Gold Fields."
3. MR. PARKES to move,—That in the opinion of this House an Amendment of the Law regulating the Sale and Occupation of the Crown Lands is called for by the public interest, and ought not to be delayed beyond the present Session of Parliament.
4. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and showing the amended claim with its area.
5. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A copy of the Regulations issued by the Inspector General of Police, as a guide for the Police of New South Wales.
  - (2.) A copy of the Regulations for Public Conveyances to and from the City and Suburbs of Sydney.

(3.)

- (3.) A copy of the Regulations or Instructions for the abatement of the Dog nuisance in Sydney, and the chief Towns of the Colony.
- (4.) A Return of all Fees paid, and of penalties enforced under the Dog Acts, at the various Police Offices of the Metropolis and Townships of the Colony.
6. Mr. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
- (1.) Copies of all correspondence that have taken place between the Executive and Mr. W. R. Riley, relating to his appointment to, and removal from the Commission of the Peace.
- (2.) Copies of all correspondence that has taken place between the Executive Government, and any person or persons upon the same subject.
- (3.) Also copy of any Minutes of the Executive Council in reference thereto.
7. Mr. MARTIN to move the following Resolutions:—
- (1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony, any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders.
- (2.) That this House is further of opinion that no portion of this Colony should have been separated from it and erected into a new Colony unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.
- (3.) That inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony, lying between the 26th and 30th degrees of south latitude, petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent, by which such separation has been announced.
8. Dr. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd September last, be now taken into consideration.
9. Mr. JONES to move, That the Maitland Gas Lighting Bill be now read a first time.
10. Mr. GRAY to move, That the Petition of Thomas George Rusden, Esquire, presented by him on the 22nd ultimo, be printed.
11. Mr. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Postmaster General and the Inhabitants of Gundaroo, relative to the site of the Post Office in that District.
12. Mr. DARR to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1860 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.
13. Mr. WISDOM to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions in the case of Charles Skerrett, who was recently committed for cattle stealing by the Bench of Magistrates at Wingham; also, Copies of the Depositions taken in the case of the same person, committed by the same Bench for unlawfully presenting fire-arms.
14. Mr. FLETT to move, That the Petition from the Macleay River relative to State Aid to Religion, presented by him on the 20th ultimo, be printed.
15. Mr. ROBERTS to move, That the Petition from Bungonia relative to State Aid to Religion, presented by him on the 20th ultimo, be printed.
16. Mr. CUMMINGS to move, That the Select Committee on the "*Condition of the Bathurst Road*," have leave to inquire also into the management and construction of the Road.
17. Mr. COOPER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
- (1.) A copy of the Warehousekeeper's list of deficiencies lately discovered in the Bonded Warehouses in Sydney.
- (2.) A copy of the Collector's Report on these deficiencies.
- (3.) A copy of correspondence between the Collector and any Bonded Warehousekeeper as to deficiencies in Teas imported in 1856.
- (4.) Copies of documents shewing the alterations which were made in the weights of the Teas after landing.
- (5.) The amount of duty paid in 1856 on Teas imported by the ship "*Hirondelle*" in that year.
- (6.) The date when the duty on the Teas per "*Hirondelle*" were paid.
18. Mr. SCOTT to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates of Expenditure for this year, a sum of £3,236 10s. 3d., to be paid to Mr. John Moore Dillon, the late Criminal Crown Solicitor, in lieu of Pension for loss of Office.
19. Mr. CAPE to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Additional Estimates for 1860, the sum of £200 for a Wharf and its approaches at Gosford, for steamers and vessels in the timber trade; also, the sum of £100 for a Wharf and its approaches, at Mangrove, on the Hawkesbury River.

20. MR. CLEMENTS to move,—  
 (1.) That in the opinion of this House, a survey of a Line for Railway from Bathurst, to meet the Victoria Line at Echuca, ought to be made at an early period of the ensuing year.  
 (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.
21. MR. DALLEY to move, That there be laid on the Table of this House copies of all correspondence between Mr. Andrew Lenahan and the Government, with reference to a claim of Mr. Lenahan's for works performed at Government House.
22. MR. JAMISON to move, That the Petition from Penrith, relative to State Aid to Religion, presented by him on the 15th ultimo, be printed.
23. CAPTAIN RUSSELL to move, That this House do meet on Tuesdays, Wednesdays, Thursdays, and Fridays, at 10 o'clock A.M., instead of 3 o'clock P.M., for the dispatch of business.
24. MR. PIDDINGTON to move, That the Petition from Wilberforce and Windsor, relative to certain Tolls levied under the Act 2 William 4, No. 12, presented by him on the 16th ultimo, be printed.
25. MR. WEEKES to move for leave to bring in a Bill to amend the Sydney Insurance Company's Act of 1855.
26. MR. CLEMENTS to move, That on the rising of this House to-day, it do adjourn until Tuesday, the 17th of January, 1860.
27. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Supplementary Estimates for 1860, the following sums:—  
 £7,000 for the construction of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst.  
 £300 for the construction of a Bridge across the Bellubulla Creek, on the main line of road from Bathurst to Nanamai.  
 £300 for the construction of a Bridge across Ugowra Creek, at or near the junction of said creek with the Lachlan River, on main road to Balranald.  
 £200 for the construction of a Bridge across the Carrawobbidy Creek, being on the main road from Nanamai to Balranald.  
 £300 for the construction of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala Gold Fields.
28. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.
29. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Government and any person or persons, and also any other papers, relative to the change of Escort from the Timbarra Gold Fields.
30. MR. GORDON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence, including Petitions, &c., addressed to the Government, or from the Government to any person or persons, on the subject of Dungog being proclaimed a place where a District Court should be held in the Northern District.
31. MR. HART to move for leave to bring in a Bill to give validity in certain cases to Deeds of Grant of Crown Lands issued to Foreigners.

#### ORDERS OF THE DAY:—

1. Revenue and Audit Bill; second reading.
2. Parramatta Water Protection Bill; second reading.
3. Report of Standing Orders Committee on Proceedings in Committee of Supply; To be considered in Committee.
4. Salary of Chief Justice during Absence of Sir Alfred Stephen; consideration in Committee of an Address for.
5. Tolls Amendment Act Repeal Bill; second reading.
6. Resumption of the adjourned Debate on the Rev. Dr. Lang's motion, "That the Duration of Legislative Assemblies Limitation Bill be now read a second time."—Upon which Mr. Piddington had moved the Previous Question.
7. Lien on Wool Act Continuation Bill; second reading.
8. Newcastle Wallsend Coal Company's Railway Bill; second reading.
9. Cattle Driving Act Amendment Bill; third reading.
10. Capital Punishments Abolition Bill; second reading.
11. Law of Primogeniture Abolition Bill; second reading.
12. Resumption of the adjourned Debate on Dr. Lang's motion,—  
 " (1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.  
 " (2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
13. Tanners and Carriers Bill; second reading.
14. Wesley College Bill; second reading.
15. Crown Lands Sales Bill; second reading.
16. Crown Lands Occupation Bill; second reading.
17. Importation of Cattle Regulation Bill; second reading.
18. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, That this Bill be now read a second time.

## GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. SAMUEL to move for leave to bring in a Bill to facilitate the Engagement of Seamen for the Inter-Colonial Trade.
2. MR. SAMUEL to move for leave to bring in a Bill further to amend the Laws relating to Pilotage.

## ORDERS OF THE DAY :—

1. Supply ; Resumption of the Committee.
2. Loan Bill for 1860 ; second reading.
3. Ways and Means ; Resumption of the Committee.
4. Elective Legislative Council Bill ; second reading.
5. Certain Public Officers' Salaries Reduction Bill ; To be further considered in Committee.
6. Telegraphic Communication with United Kingdom ; Further consideration in Committee of Address for Subsidy towards.

## Questions :—

1. MR. CAPE to ask THE COLONIAL TREASURER (*on the motion being made for going into Committee of Supply*),—  
 (1.) How far it would be a saving of expenditure and an advantage to the public if the Customs Stations at Botany and Broken Bay Heads were made Police and Ferry Stations?  
 (2.) What services are at present rendered by the establishments referred to?
2. MR. COOPER to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to place on the Estimates of 1860 the sum of £400 for moorings at Tartar Bay?
3. MR. PIDDINGTON to ask THE SECRETARY FOR LANDS,—When the Correspondence between the Chief Commissioner and Engineer of Railways, and Messrs. Peto, Brassey, and Betts, relating to Railway Extensions, will be laid upon the Table of this House, in compliance with an Address to the Governor General agreed to on 29th September last?

DANIEL COOPER,  
*Speaker.*

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No. 49.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

TUESDAY, 24 JANUARY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
The Clerk sworn:—The Speaker produced a Commission, appointing Charles Tompson, Esquire, to be the Clerk of the Legislative Assembly of New South Wales; and administered the Oaths of Allegiance and Office, respectively, to Mr. Tompson, as the Clerk of this House, accordingly.
2. Member Sworn:—Samuel Henry Terry, Esquire, having taken the Oath and subscribed the Roll, took his Seat as Member for the Electoral District of Mudgee.
3. Papers:—
  1. Mr. Forster laid upon the Table the following Papers:—
    - (1.) The Return to the Address, in reference to the Shoalhaven Municipality, adopted, on motion of Mr. Hay, on the 27th September last.
    - (2.) By-Law made by the Council of St. John's College, on the 21st November, 1859, with letter of Secretary thereof, transmitting the same to the Honorable the Colonial Secretary.
    - (3.) Further Return to Order, in reference to State-paid Clergymen, made by this House, on motion of Mr. Jones, on the 23rd September last.
    - (4.) Despatches respecting the Act 22 Victoria, No. 17, to impose an Assessment on Runs, and to increase the Rent of Land leased for pastoral purposes.
    - (5.) Despatch, dated 10th November, 1859, relating to the nomination of Naval Cadets in the Colony.  
Ordered to be printed.
    - (6.) Return to Address in reference to the cases of Hart and Patfield, adopted, on motion of Mr. Murray, on 16th December last.
  2. Mr. Samuel laid upon the Table the following Papers:—
    - (7.) Further Report from E. O. Merewether, Esq., dated 21 November, 1859, respecting Steam Postal Service *via* Panama.  
Ordered to be printed.
    - (8.) Return to Address respecting Lieutenant Seaver, R.N., adopted, on motion of Mr. Hodgson, on the 9th December last.
4. Leave of absence for one month granted to Mr. Sayers, on motion of Mr. Weekes.
5. Public Education by means of Duties on Tea and Sugar:—Mr. Plunkett presented a Petition from certain Female Inhabitants of New South Wales, residing at Sydney, advocating the application of the Duties derivable from Tea and Sugar to the purposes of Public Education, and urging the expediency of a particular extension of Public Female Education.  
Petition received.
6. Mrs. Mary Jones:—Mr. Wild presented a Petition from Mrs. Mary Jones, of Bargo, representing that her late husband, Mr. Joseph Henry Jones, sustained great loss by a Mail Contract taken by him in 1851, in consequence of circumstances arising out of the discovery of Gold; and praying consideration.  
Petition received.
7. Removal of Slaughter-houses and other Nuisances from Sydney:—Mr. Mort presented a Petition from certain Inhabitants of Sydney and Suburbs, drawing attention to the Colonial Act, 13 Victoria, No. 42, for the removal of Slaughter-houses and other Nuisances from the precincts of the City; and praying the enforcement of the said Act.  
Petition received.
8. Special Roman Catholic Education:—Mr. Hoskins presented a Petition from certain Roman Catholics of Armidale, New England, praying that a proportion of the sum voted for National Education may be specially set apart for Roman Catholic Education.  
Petition received.
9. Question of Privilege:—The Speaker reported to the House that, since its last adjournment, certain appointments, at the Table of this House and otherwise in the Department of the Assembly, had been made by the present Government, without previous consultation

consultation with him,—while there existed an arrangement between himself and the late Governments that no such appointments should be made without such previous consultation.

The Speaker then read the correspondence which had passed on the subject, between himself and the Colonial Secretary.

Whereupon, Mr. Darvall moved, "That" the correspondence, as read, be printed, and taken into consideration on Tuesday next, before any other business on the Paper for that day.

Mr. Martin moved, That the Question be amended by the omission of all the words thereof following the word "That," at the commencement, with a view to the insertion in their place of the words "this House approves the steps taken by Mr. Speaker, in reference to the recent appointment, by His Excellency the Governor General and the Executive Council, without any previous communication with him, of certain Officers of the House, and hereby records its strong disapproval of the course taken by the Government in the matter."

"(2.) That the foregoing Resolution be embodied in an Address and presented to His Excellency the Governor General."

Debate ensued.

10. Member Sworn:—Peter Faucett, Esquire, having taken the Oath and subscribed the Roll, took his Seat as a Member for the Electoral District of East Sydney.

11. Question of Privilege:—The Debate on this Question, interrupted by Mr. Faucett taking the Oath, resumed.

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

The House divided.

#### Ayes, 16.

Mr. Darvall,	Mr. Campbell,	
Mr. Hamilton,	Mr. Irving,	
Mr. Jenkins,	Mr. Hay,	
Mr. Wild,	Mr. Jones,	
Mr. Lyons,	Mr. Macleay,	
Mr. Loder,	Mr. Cape,	
Mr. Gordon,	Mr. Hoskins,	} Tellers.
Mr. Faucett,	Mr. Robertson,	

#### Noes, 30.

Mr. Samuel,	Mr. Hurley,	
Mr. Black,	Mr. Atkinson,	
Mr. Forster,	Mr. Egan,	
Mr. Parkes,	Mr. Dalley,	
Mr. Byrnes,	Mr. Close,	
Mr. Weekes,	Mr. Arnold,	
Mr. Dickson,	Rev. Dr. Lang,	
Mr. Terry,	Mr. Wilson,	
Mr. Hart,	Mr. G. Lang,	
Mr. Scott,	Mr. Laycock,	
Mr. McArthur,	Mr. Asher,	
Mr. Mort,	Mr. Plunkett,	
Mr. Hyeronimus,	Mr. Morris,	
Mr. Martin,	Mr. Windeyer,	} Tellers.
Mr. Piddington,	Mr. Broughton,	

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

The House divided.

#### Ayes, 9.

Mr. Dickson,	Mr. G. Lang,	
Mr. Hart,	Mr. Scott,	
Mr. Mort,	Mr. Robertson,	} Tellers.
Mr. Martin,	Mr. Dalley,	
Mr. Gordon,		

#### Noes, 37.

Mr. Broughton,	Mr. Macleay,	
Mr. Samuel,	Mr. Jones,	
Mr. Black,	Mr. Cape,	
Mr. Forster,	Mr. Wilson,	
Mr. Parkes,	Rev. Dr. Lang,	
Mr. Windeyer,	Mr. Hyeronimus,	
Mr. Byrnes,	Mr. Darvall,	
Mr. Terry,	Mr. Hoskins,	
Mr. Hamilton,	Mr. Piddington,	
Mr. Wild,	Mr. Hurley,	
Mr. Jenkins,	Mr. Atkinson,	
Mr. McArthur,	Mr. Egan,	
Mr. Loder,	Mr. Faucett,	
Mr. Hay,	Mr. Campbell,	
Mr. Irving,	Mr. Close,	
Mr. Plunkett,	Mr. Arnold,	
Mr. Morris,	Mr. Weekes,	} Tellers.
Mr. Laycock,	Mr. Lyons,	
Mr. Asher,		

Motion made by Mr. Parkes, and Question put,—That in the place of the words omitted, the following words be inserted:—

"(1.) This House having taken into consideration the correspondence this day laid before it by Mr. Speaker, in reference to the recent appointments by the Executive Government, without his concurrence, of the Clerk and certain other officers of the House, is of opinion that no such appointments ought to have been made except on the Speaker's recommendation, and hereby records its disapproval of the conduct of the Government in the matter of such appointments, on the ground that the course taken is contrary to the usage of Parliament, and calculated to endanger the freedom and independence of this House.

"(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General."

The



The House divided.

Ayes 19.			Noes 28.		
Mr. Windeyer,	Mr. Scott,	} Tellers.	Mr. Broughton,	Mr. Faucett,	} Tellers.
Mr. Robertson,	Mr. Asher,		Mr. Samuel,	Mr. Darvall,	
Mr. Dickson,	Mr. Byrnes,		Mr. Black,	Mr. Hoskins,	
Mr. Hart,	Mr. Cooper,		Mr. Forster,	Mr. Campbell,	
Mr. Gordon,	Mr. Dalley,		Mr. Terry,	Mr. Close,	
Mr. Mort,			Mr. Hamilton,	Mr. Arnold,	
Mr. Martin,			Mr. Wild,	Rev. Dr. Lang,	
Mr. Hyeronimus,			Mr. Jenkins,	Mr. Wilson,	
Mr. Weekes,			Mr. McArthur,	Mr. Cape,	
Mr. Egan,			Mr. Loder,	Mr. Jones,	
Mr. Atkinson,			Mr. Hay,	Mr. Macleay,	
Mr. Laycock,			Mr. Irving,	Mr. Plunkett,	
Mr. G. Lang,			Mr. Piddington,	Mr. Lyons,	
Mr. Parkes,			Mr. Hurley,	Mr. Morris,	

Mr. Piddington moved, That in the place of the words omitted the following words be inserted—"this House is of opinion that the course pursued by Mr. Speaker in the correspondence which has been laid upon the Table is entirely in accordance with the duty of Mr. Speaker as the guardian of the privileges and the depository of the dignity of the House."

And the House having continued to sit till after Midnight;—

WEDNESDAY, 25 JANUARY, 1860. A.M.

Question put.

The House divided.

Ayes, 27.			Noes, 19.		
Mr. Robertson,	Mr. Weekes,	} Tellers.	Mr. Broughton,	Mr. Macleay,	} Tellers.
Mr. Cooper,	Mr. Close,		Mr. Black,	Mr. Cape,	
Mr. Windeyer,	Mr. Darvall,		Mr. Samuel,	Mr. Wilson,	
Mr. Hart,	Mr. Piddington,		Mr. Forster,	Mr. Terry,	
Mr. Dalley,	Mr. Jones,		Mr. Hamilton,	Mr. Lyons,	
Mr. Gordon,	Mr. Byrnes,		Mr. Wild,		
Mr. Mort,	Mr. Asher,		Mr. Jenkins,		
Mr. Morris,	Rev. Dr. Lang,		Mr. Loder,		
Mr. Martin,	Mr. Parkes,		Mr. Hay,		
Mr. Scott,	Mr. G. Lang,		Mr. Hurley,		
Mr. Laycock,	Mr. McArthur,		Mr. Faucett,		
Mr. Irving,	Mr. Hoskins,		Mr. Campbell,		
Mr. Atkinson,	Mr. Dickson,		Mr. Arnold,		
Mr. Egan,			Mr. Plunkett,		

Mr. Piddington then moved that, after the words last carried, the following words be added:—

(2.) "That it is the opinion of this House that, in order to maintain the dignity and usefulness of the office of Speaker, all the clerks and other officers of the House ought to be appointed by the Executive upon the recommendation of the Speaker of the Legislative Assembly."

Question put.

The House divided.

Ayes, 26.			Noes, 20.		
Mr. Hoskins,	Mr. Egan,	} Tellers.	Mr. Torry,	Mr. Arnold,	} Tellers.
Mr. Robertson,	Mr. Atkinson,		Mr. Broughton,	Mr. Wilson,	
Mr. Windeyer,	Mr. Irving,		Mr. Black,	Mr. Cape,	
Mr. Hart,	Mr. Laycock,		Mr. Samuel,	Mr. Macleay,	
Mr. Dalley,	Mr. G. Lang,		Mr. Forster,	Mr. Plunkett,	
Mr. McArthur,	Mr. Parkes,		Mr. Hamilton,	Mr. Wild,	
Mr. Gordon,	Rev. Dr. Lang,		Mr. Loder,	Mr. Jenkins,	
Mr. Mort,	Mr. Asher,		Mr. Lyons,		
Mr. Morris,	Mr. Byrnes,		Mr. Hay,		
Mr. Martin,	Mr. Jones,		Mr. Faucett,		
Mr. Scott,	Mr. Piddington,		Mr. Hurley,		
Mr. Darvall,	Mr. Dickson,		Mr. Close,		
Mr. Weekes,	Mr. Cooper,		Mr. Campbell,		

Mr. Piddington then moved, That, after the words last carried, the following words be added:—

(3.) "That the power of absolute removal and suspension of all the officers of the Legislative Assembly (excepting the Clerks at the Table) be vested in the Speaker of this House."

Question put and negatived.

Mr. Piddington then moved, That, after the words last carried, the following words be added:—

(3.) "That the above Resolutions be embodied in an Address to His Excellency the Governor General."

Question put and passed.

Whereupon Question,—

(1.) That this House is of opinion that the course pursued by Mr. Speaker in the correspondence which has been laid upon the Table, is entirely in accordance with the duty of Mr. Speaker as the guardian of the privileges and the depository of the dignity of the House.

(2.)

(2.) That it is the opinion of this House, That in order to maintain the dignity and usefulness of the office of Speaker, all the Clerks and other Officers of the House ought to be appointed by the Executive upon the recommendation of the Speaker of the Legislative Assembly.

(3.) That the above Resolutions be embodied in an Address to His Excellency the Governor General,—

Put and passed.

12. Motion dropped.—Mr. Robertson not moving the motion standing in his name, No. 1 on the Notice Paper of Other Business for to-day, it dropped.

13. Postponements :—

(1.) Mr. Hoskins postponed the motion standing in his name No. 2 on the Notice Paper of Other Business for to-day, until Tuesday next.

(2.) Mr. Parkes postponed the motion standing in his name, No. 3 on the Notice Paper of Other Business for to-day, until Tuesday next.

The House adjourned on motion of Mr. Forster, at twenty-seven minutes before One o'clock a.m., until Three o'clock p.m. to-day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JANUARY 25.

### *Contingent Notice of Motion :—*

1. DR. LANG to move (on the proposal of the Honorable the Colonial Secretary to move the second reading of the *Elective Legislative Council Bill*),—That, in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony.

### GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. FORSTER to move, That the Correspondence between the Hon. the Speaker and the Executive Government, read by the Speaker to the House on the 24th instant, be laid upon the Table of this House.
2. MR. SAMUEL to move for leave to bring in a Bill to facilitate the Engagement of Seamen for the *Inter-Colonial Trade*.
3. MR. SAMUEL to move for leave to bring in a Bill further to amend the Laws relating to Pilotage.

### ORDERS OF THE DAY :—

1. Supply ; Resumption of the Committee.
2. Loan Bill for 1860 ; second reading.
3. Ways and Means ; Resumption of the Committee.
4. Elective Legislative Council Bill ; second reading.
5. Certain Public Officers' Salaries Reduction Bill ; To be further considered in Committee.
6. Telegraphic Communication with United Kingdom ; Further consideration in Committee of Address for Subsidy towards.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HOSKINS to move, That the Petition from Armidale, relative to Roman Catholic Education, presented by him on the 24th instant, be printed.
2. MR. WILD to move, That the Petition of Mrs. Mary Jones, presented by him on the 24th instant, be printed.
3. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
4. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A copy of the Regulations issued by the Inspector General of Police, as a guide for the Police of New South Wales.
  - (2.) A copy of the Regulations for Public Conveyances to and from the City and Suburbs of Sydney.
  - (3.) A copy of the Regulations or Instructions for the abatement of the Dog nuisance in Sydney, and the chief Towns of the Colony.
  - (4.) A Return of all Fees paid, and of penalties enforced under the Dog Acts, at the various Police Offices of the Metropolis and Townships of the Colony.

5. MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
  - (1.) Copies of all correspondence that have taken place between the Executive and Mr. W. R. Riley, relating to his appointment to, and removal from the Commission of the Peace.
  - (2.) Copies of all correspondence that has taken place between the Executive Government, and any person or persons upon the same subject.
  - (3.) Also copy of any Minutes of the Executive Council in reference thereto.
6. MR. MARTIN to move the following Resolutions:—
  - (1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony, any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders.
  - (2.) That this House is further of opinion that no portion of this Colony should have been separated from it and erected into a new Colony unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.
  - (3.) That inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony, lying between the 26th and 30th degrees of south latitude, petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent, by which such separation has been announced.
7. MR. LANG to move, That the Petition of the Honorable Alexander Berry, Esq., ordered by this House to be printed on Friday, the 23rd September last, be now taken into consideration.
8. MR. JONES to move, That the Maitland Gas Lighting Bill be now read a first time.
9. MR. GRAY to move, That the Petition of Thomas George Rusden, Esquire, presented by him on the 22nd ultimo, be printed.
10. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Postmaster General and the Inhabitants of Gundaroo, relative to the site of the Post Office in that District.
11. MR. DARK to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will cause to be placed on the Supplementary Estimates for 1865 a sum not exceeding four hundred pounds, for the purpose of a public Punt at Clarence Town.
12. MR. WISDOM to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions in the case of Charles Skerrett, who was recently committed for cattle stealing by the Bench of Magistrates at Wingham; also, Copies of the Depositions taken in the case of the same person, committed by the same Bench for unlawfully presenting fire-arms.
13. MR. FLETT to move, That the Petition from the Macleay River relative to State Aid to Religion, presented by him on the 20th ultimo, be printed.
14. MR. ROBERTS to move, That the Petition from Bungonia relative to State Aid to Religion, presented by him on the 20th ultimo, be printed.
15. MR. CUMMINGS to move, That the Select Committee on the "*Condition of the Bathurst Road*," have leave to inquire also into the management and construction of the Road.
16. MR. COOPER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
  - (1.) A copy of the Warehousekeeper's list of deficiencies lately discovered in the Bonded Warehouses in Sydney.
  - (2.) A copy of the Collector's Report on these deficiencies.
  - (3.) A copy of correspondence between the Collector and any Bonded Warehousekeeper as to deficiencies in Teas imported in 1856.
  - (4.) Copies of documents showing the alterations which were made in the weights of the Teas after landing.
  - (5.) The amount of duty paid in 1856 on Teas imported by the ship "*Hirondelle*" in that year.
  - (6.) The date when the duty on the Teas per "*Hirondelle*" were paid.
17. MR. SCOTT to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates of Expenditure for this year, a sum of £3,236 10s. 3d., to be paid to Mr. John Moore Dillon, the late Criminal Crown Solicitor, in lieu of Pension for loss of Office.
18. MR. CAPE to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Additional Estimates for 1860, the sum of £200 for a Wharf and its approaches at Gosford, for steamers and vessels in the timber trade; also, the sum of £100 for a Wharf and its approaches, at Mangrove, on the Hawkesbury River.
19. MR. CLEMENTS to move,—
  - (1.) That in the opinion of this House, a survey of a Line for Railway from Bathurst, to meet the Victoria Line at Echuca, ought to be made at an early period of the ensuing year.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.

20. MR. DALLEY, to move, That there be laid on the Table of this House copies of all correspondence between Mr. Andrew Lenehan and the Government, with reference to a claim of Mr. Lenehan's for works performed at Government House.
21. MR. JAMISON to move, That the Petition from Penrith, relative to State Aid to Religion, presented by him on the 15th ultimo, be printed.
22. CAPTAIN RUSSELL to move, That this House do meet on Tuesdays, Wednesdays, Thursdays, and Fridays, at 10 o'clock A.M., instead of 3 o'clock P.M., for the dispatch of business.
23. MR. PIDDINGTON to move, That the Petition from Wilberforce and Windsor, relative to certain Tolls levied under the Act 2 William 4, No. 12, presented by him on the 16th ultimo, be printed.
24. MR. WEEKES to move for leave to bring in a Bill to amend the Sydney Insurance Company's Act of 1855.
25. MR. CLEMENTS to move, That on the rising of this House to-day, it do adjourn until Tuesday, the 17th of January, 1860.
26. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to place on the Supplementary Estimates for 1860, the following sums:—  
 £7,000 for the construction of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst.  
 £300 for the construction of a Bridge across the Bellubulla Creek, on the main line of road from Bathurst to Nanamai.  
 £300 for the construction of a Bridge across Ugowra Creek, at or near the junction of said creek with the Lachlan River, on main road to Balranald.  
 £200 for the construction of a Bridge across the Carrawobbidy Creek; being on the main road from Nanamai to Balranald.  
 £300 for the construction of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala Gold Fields.
27. DR. LANG to move for leave to bring in a Bill to enable the Trustees of the Scots' Church to exchange a portion of their allotment.
28. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Government and any person or persons, and also any other papers, relative to the change of Escort from the Timbarra Gold Fields.
29. MR. GORDON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence, including Petitions, &c., addressed to the Government, or from the Government to any person or persons, on the subject of Dungog being proclaimed a place where a District Court should be held in the Northern District.
30. MR. HART to move for leave to bring in a Bill to give validity in certain cases to Deeds of Grant of Crown Lands issued to Foreigners.

ORDERS OF THE DAY:—

1. Revenue and Audit Bill; second reading.
2. Parramatta Water Protection Bill; second reading.
3. Report of Standing Orders Committee on Proceedings in Committee of Supply; To be considered in Committee.
4. Salary of Chief Justice during Absence of Sir Alfred Stephen; consideration in Committee of an Address for:—
5. Tolls Amendment Act Repeal Bill; second reading.
6. Resumption of the adjourned Debate on the Rev. Dr. Lang's motion, "That the Duration of Legislative Assemblies Limitation Bill be now read a second time."—Upon which Mr. Piddington had moved the Previous Question.
7. Lien on Wool Act Continuation Bill; second reading.
8. Newcastle Wallsend Coal Company's Railway Bill; second reading.
9. Cattle Driving Act Amendment Bill; third reading.
10. Capital Punishments Abolition Bill; second reading.
11. Law of Primogeniture Abolition Bill; second reading.
12. Resumption of the adjourned Debate on Dr. Lang's motion,—  
 " (1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act."  
 " (2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
13. Tanners and Curriers Bill; second reading.
14. Wesley College Bill; second reading.
15. Crown Lands Sales Bill; second reading.
16. Crown Lands Occupation Bill; second reading.
17. Importation of Cattle Regulation Bill; second reading.
18. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, That this Bill be now read a second time.

Questions:—

1. MR. ASHER to ask THE COLONIAL SECRETARY,—Whether the Government intend to carry out a promise made by the previous Government, to erect a suitable Telegraph Office at Albury?

2. MR. ASHER to ask THE COLONIAL SECRETARY,—Whether the Government have accepted any Tenders for the construction of a Bridge at Albury; and, if so, what is the amount of the Tender accepted; and the name of the contracting party?
3. MR. ASHER to ask THE COLONIAL SECRETARY,—Whether the Government intend granting to the Police at Albury, Deniliquin, and Balranald, (in consequence of the high price of living, and the great amount of expensive Escort duty to be performed in those parts), such rations as they were supplied with up to the commencement of last year—or an equivalent in pay?
4. MR. PARKES to ask THE COLONIAL SECRETARY,—Whether any Members of this House have made application to the present Government for employment in the Public Service; if so, whether there is any objection to stating the names of any such Members, the nature of the employment sought to be obtained, and the replies given by the Government in each case?
5. MR. PARKES to ask THE SECRETARY FOR LANDS,—What steps are intended to be taken for covering in the Tank Stream between Hunter-street and Bridge-street; and why the work has not been proceeded with?
6. MR. CAPE to ask THE COLONIAL TREASURER (on the motion being made for going into Committee of Supply),—  
(1.) How far it would be a saving of expenditure and an advantage to the public if the Customs Stations at Botany and Broken Bay Heads were made Police and Ferry Stations?  
(2.) What services are at present rendered by the establishments referred to?
7. MR. COOPER to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to place on the Estimates of 1860 the sum of £400 for moorings at Tartar Bay?
8. MR. PIDDINGTON to ask THE SECRETARY FOR LANDS,—When the Correspondence between the Chief Commissioner and Engineer of Railways, and Messrs. Peto, Brassey, and Betts, relating to Railway Extensions, will be laid upon the Table of this House, in compliance with an Address to the Governor General agreed to on 29th September last?

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FRIDAY, JANUARY 27.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PLUNKETT to move, That the Petition of certain Female Inhabitants of New South Wales, relative to Education, presented by him on the 24th instant, be printed.
2. MR. DALLEY to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will be pleased to place upon an additional Estimate, for the year 1860, the sum of £100, to make the Salary of the office of Clerk of the Legislative Council equal to that of the office of Clerk of the Legislative Assembly, from 1 January, 1860.

Questions :—

1. MR. LORD to ask THE COLONIAL SECRETARY,—If the Government have taken, or intend to take, any action with reference to the Petition from the Residents of Dubbo, presented by him on the 1st December, 1859, praying the establishment of Quarter Sessions at that place?
2. MR. DARVALL to ask THE COLONIAL TREASURER,—If the Government has taken any, and what steps, to effect a division of the Public Debt of New South Wales and Queensland?
3. MR. TERRY to ask THE COLONIAL SECRETARY,—  
(1.) Whether a Petition praying that the Town of Mudgee be declared a Municipality within the meaning of the Act has been received; and if so, when, and by how many signed?  
(2.) Why the Town of Mudgee has not been so declared a Municipality?  
(3.) Whether any Petitions have been received in opposition thereto; if so, when, and by how many signed?  
(4.) Have the Government any objection to cause to be laid upon the Table of this House, copies of all Petitions, Documents, and Correspondence, relating to any proposed Municipality or Municipalities, for Town or Suburb, in the Electoral District of Mudgee?
4. MR. TERRY to ask THE COLONIAL SECRETARY, in the absence of THE SECRETARY FOR PUBLIC WORKS,—If the Government have received any official communication from His Honor Judge Dowling, that it is not that gentleman's intention to hold any more Courts of Quarter Sessions in Mudgee, on account of the smallness and want of ventilation of the Court House, and the insufficient Gaol accommodation for Prisoners and if so, if it is the intention of the Government to place a sum of money on the Estimates for the present year for the purpose of enlarging and improving the said Court House and Gaol accommodation; and, if so, what sum?

TUESDAY, JANUARY 31.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Correspondence which has taken place between the Government and Captain Cheral Tabulum, Edward Ogilvie, and Robertson Brothers, Clarence River, with respect to the application of these parties to purchase extensive tracts of land, under the "pre-emptive right," in that locality.
2. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Correspondence which has taken place between the Government and the Returning Officer for the Electorate of New England, with respect to the appointment of additional Polling Places at Gostwyck, Tia, Toryburn, Ollera, and Rockvale, in that Electorate.
3. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of acres of land which have been alienated under the "pre-emptive right" since the inauguration of Responsible Government; specifying the quantity purchased by each individual; the locality in which such land was situated; the amount paid for each lot; and the names of the purchasers.
4. MR. MORT to move, That the Petition of certain Citizens of Sydney, relative to the enforcement of the Act for the removal of Slaughter-houses, and other Nuisances, from the precincts of the City, presented by him on the 24th instant, be printed.
5. MR. WILSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of all Correspondence held with the Government, concerning the establishment of an experimental Quartz Crushing Machine at the Royal Mint.
6. MR. HOSKINS to move, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the ensuing year the sum of £3,000, as a Reward Fund for the discovery of new "Gold Fields."
7. MR. PARKES to move,—That in the opinion of this House an Amendment of the Law regulating the Sale and Occupation of the Crown Lands is called for by the public interest, and ought not to be delayed beyond the present Session of Parliament.

## Questions :—

1. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to extend the Northern Line of Telegraph to New England; and when?
2. MR. HOSKINS to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to ask the House to consent to the appointment of a Public Prosecutor?
3. MR. HOSKINS to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government, to introduce a Bill to amend the Act for the more effectual prevention of Vagrancy, during the present Session?

DANIEL COOPER,  
Speaker.

No. 50.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 25 JANUARY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Motion Withdrawn:—Mr. Forster withdrew the motion standing in his name No. 1 on the Notice Paper of Government Business for to-day.
2. Vacant Seat:—The Speaker having reported that he had this day received a letter from Stephen Neate Dark, Esquire, resigning his Seat for The Williams,—  
Mr. Forster moved, That the Seat of Stephen Neate Dark, Esquire, as Member for the Electoral District of The Williams, hath become and is now vacant, by reason of the resignation thereof by the said Stephen Neate Dark, Esquire.  
Question put and passed.
3. Leave of Absence for a fortnight granted to Mr. Jamison, on motion of Mr. Jones.
4. Papers:—Mr. Forster laid upon the Table, Correspondence between himself and the Speaker, on the subject of Appointments in the Department of the Legislative Assembly.  
Ordered to be printed.
5. Public Education by means of Duties on Tea and Sugar:—Mr. Jenkins presented a Petition from certain Judges, Professors of the University, Clergymen, Professional Men, Bankers, Merchants, and other Citizens of Sydney, in favor of the promotion of Public Education by means of the duties derivable from Tea and Sugar.  
Petition received.
6. The Dean of St. Andrew's, Sydney:—Mr. Darvall presented a Petition from the Churchwardens of St. Andrew's Temporary Cathedral, representing that the recent appointment of the Dean of St. Andrew's is an aggression on the rights and privileges of the Incumbent, and praying relief.  
Petition received.
7. Tanners' and Curriers' Bill:—Mr. Parkes presented a Petition from certain Tanners and Curriers, and other persons residing adjacent to Tanneries, in the Towns of Windsor and Richmond, praying that this Bill may be allowed to pass.  
Petition received.
8. Paper:—Mr. Black laid upon the Table the Return to the Address relative to Crown Lands and Public Improvements in the Clarence District, adopted, on motion of Mr. Clark Irving, on the 5th October last.  
Ordered to be printed.
9. Seamen's Engagement Amendment Bill:—Mr. Samuel moved, pursuant to *amended* notice, for leave to bring in a Bill to facilitate the Engagement of Seamen for the Colonial Trade.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
10. Harbor, Pilotage, and Navigation Bill:—Mr. Samuel moved, pursuant to *amended* notice, for leave to bring in a Bill to consolidate and amend the Harbor, Pilotage, and Navigation Laws.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
11. Seamen's Engagement Amendment Bill:—Mr. Samuel having *presented* this Bill, Bill, intituled, "*A Bill to facilitate the Engagement of Seamen for the Colonial Trade*,"—read a first time; ordered to be printed, and read a second time this day week.
12. Harbor, Pilotage, and Navigation Bill:—Mr. Samuel having *presented* this Bill, Bill, intituled, "*A Bill to consolidate and amend the Harbor, Pilotage, and Navigation Laws*,"—read a first time; ordered to be printed, and read a second time this day week.
13. Frederick Dunbar:—Mr. Parkes presented a Petition from Frederick Dunbar, of Stonehenge, New England, complaining of certain conduct exercised towards himself by Arthur Hannibal Macarthur, Esquire, a Magistrate of that District; and praying relief.  
Petition received.

## 14. Postponements :—

(1.) The Resumption of the Committee of Supply postponed, on motion of Mr. Samuel, until Wednesday next.

(2.) The second reading of the Loan Bill for 1860, postponed on motion of Mr. Samuel, until the next following Order of the Day shall have been disposed of.

## 15. Ways and Means :—On motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider of the Ways and Means to meet the Supply granted to Her Majesty for the Service of the year 1859-60.

The Chairman obtained leave to sit again on Wednesday next, and reported the following Resolution :—

(3.) Resolved, that towards making good the Supply granted to Her Majesty during the present Session, a sum or sums not exceeding £365,600 be raised by the sale of Debentures, secured upon the Consolidated Revenue Fund of New South Wales, and bearing interest at a rate not exceeding 5 per centum per annum, to pay off Debentures falling due in the year 1860, being £281,700 for Railway Debentures; £21,000 for Public Works Debentures; £44,900 for Sydney Sewerage Debentures; and £18,000 for Sydney Water Works Debentures.

Mr. Samuel then moved, That this House do now adopt this Resolution.

Question put and passed.

## 16. Loan Bill for 1860 :—Mr. Samuel moved, that this Bill be now read a second time.

Question put.

The House divided.

Ayes 20.

Mr. Black,	Mr. Weekes,	} Tellers:
Mr. Forster,	Mr. Dickson,	
Mr. Samuel,	Mr. Pamell,	
Mr. Piddington,	Mr. Watt,	
Mr. Robertson,	Mr. Faucett,	
Mr. Arnold,	Mr. Hurley,	
Mr. Jenkins,	Mr. Scott,	
Mr. Hay,	Mr. Broughton,	
Mr. Jones,	Mr. Mort,	
Mr. Loder,	Mr. McArthur,	

Noes 8.

Mr. Dalley,	} Tellers.
Mr. Atkinson,	
Mr. Gordon,	
Mr. Parkes,	
Mr. Martin,	
Mr. Terry,	
Mr. Windom,	
Mr. Windeyer,	

Bill read a second time.

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

The Chairman having reported the Bill, without amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time on Wednesday next.

## 17. Postponement :—The second reading of the Elective Legislative Council Bill postponed, on motion of Mr. Forster, until this day fortnight.

## 18. Certain Public Officers' Salaries Reduction Bill :—

(1.) The Order of the Day for the further consideration in Committee of this Bill discharged from the Paper, on motion of Mr. Forster.

(2.) Bill, then, on motion of Mr. Forster, discharged from the Paper.

## 19. Postponement :—The further consideration in Committee of Address for subsidy towards Telegraphic Communication with the United Kingdom postponed, on motion of Mr. Forster, until this day week.

## 20. Special Roman Catholic Education :—Mr. Hoskins moved, pursuant to notice, That the Petition from Armidale, relative to Roman Catholic Education, presented by him on the 24th instant, be printed.

Question put and passed.

Ordered to be printed.

## 21. Postponements :—

(1.) Mr. Dalley postponed the motion standing in the name of Mr. Wild, No. 2 on the Notice Paper of Other Business for to-day, until Friday next.

(2.) Mr. Hay postponed the motion standing in the name of Mr. Murray, No. 3 on the Notice Paper of Other Business for to-day, until Tuesday next.

## 22. Miscellaneous Documents :—Mr. Cape moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—

(1.) A copy of the Regulations issued by the Inspector General of Police, as a guide for the Police of New South Wales.

(2.) A copy of the Regulations for Public Conveyances to and from the City and Suburbs of Sydney.

(3.) A copy of the Regulations or Instructions for the abatement of the Dog nuisance in Sydney, and the chief Towns of the Colony.

(4.) A Return of all Fees paid, and of penalties enforced under the Dog Acts, at the various Police Offices of the Metropolis and Townships of the Colony.

Debate ensued.

Question put and passed.

## 23. Motion Dropped :—Mr. Flood having ceased to be a Member of this House, the motion standing in his name No. 5 on the Notice Paper of Other Business for to-day, dropped.

## 24. Postponement :—Mr. Martin postponed the motion standing in his name No. 6 on the Notice Paper of Other Business for to-day, until Tuesday next.

## 25. Motion Dropped :—Dr. Lang not moving the motion standing in his name No. 7 on the Notice Paper of Other Business for to-day, it dropped.

## 26. Maitland Gas Lighting Bill :—On motion of Mr. Jones, pursuant to notice, read a first time; ordered to be printed, and read a second time on Friday next.



27. Postponements:—

(1.) Mr. Wilson postponed the motion standing in the name of Mr. Gray, No. 9 on the Notice Paper of Other Business for to-day, until Tuesday next.

(2.) Mr. Plunkett postponed the motion standing in the name of Mr. Murray, No. 10 on the Notice Paper of Other Business for to-day, until Tuesday next.

28. Motion Dropped:—Mr. Dark having ceased to be a Member of this House, the motion standing in his name No. 11 on the Notice Paper of Other Business for to-day, dropped.

29. Postponement:—Mr. Wisdom postponed the motion standing in his name No. 12 on the Notice Paper of Other Business for to-day, until Tuesday next.

30. State Aid to Religion:—

(1.) Mr. Wisdom moved, pursuant to notice standing in the name of Mr. Flett, That the Petition from the Macleay River, relative to State Aid to Religion, presented by Mr. Flett on the 20th ultimo, be printed.

Question put and passed.

Ordered to be printed.

(2.) Mr. Roberts moved, pursuant to notice, That the Petition from Bungonia, relative to State Aid to Religion, presented by him on the 20th ultimo, be printed.

Question put and passed.

Ordered to be printed.

31. Postponement:—Mr. Mort postponed the motion standing in the name of Mr. Cummings, No. 15 on the Notice Paper of Other Business for to-day, until next Friday week.

32. Motion Dropped:—Mr. Cooper not moving the motion standing in his name No. 16 on the Notice Paper of Other Business for to-day, it dropped.

33. Postponement:—Mr. Scott amended and postponed the motion standing in his name No. 17 on the Notice Paper of Other Business for to-day, until Friday next.

34. Wharves at Gosford and Mangrove:—Mr. Cape moved, pursuant to notice, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Additional Estimates for 1860, the sum of £200 for a Wharf and its approaches at Gosford, for steamers and vessels in the timber trade; also, the sum of £100 for a Wharf and its approaches, at Mangrove, on the Hawkesbury River.

Debate ensued.

Motion by leave withdrawn.

35. Motion Dropped:—Mr. Clements not moving the motion standing in his name No. 19 on the Notice Paper of Other Business for to-day, it dropped.

36. Postponement:—Mr. Robertson postponed the motion standing in the name of Mr. Dalley, No. 20 on the Notice Paper of Other Business for to-day, until Tuesday next.

37. State Aid to Religion:—Mr. Jones moved, pursuant to notice standing in the name of Mr. Jamison, That the Petition from Penrith, relative to State Aid to Religion, presented by Mr. Jamison on the 15th ultimo, be printed.

Question put and passed.

Ordered to be printed.

38. Motion Dropped:—Captain Russell not moving the motion standing in his name No. 22 on the Notice Paper of Other Business for to-day, it dropped.

39. Ferry Dues at Windsor:—Mr. Piddington moved, pursuant to notice, That the Petition from Wilberforce and Windsor, relative to certain Tolls levied under the Act 2 William 4, No. 12, presented by him on the 16th ultimo, be printed.

Question put and passed.

Ordered to be printed.

40. Postponement:—Mr. Jones postponed the motion standing in the name of Mr. Weekes, No. 24 on the Notice Paper of Other Business for to-day, until Friday next.

41. Motions dropped:—

(1.) Mr. Clements not moving the motion standing in his name No. 25 on the Notice Paper of Other Business for to-day, it dropped.

(2.) Mr. Cummings not moving the motion standing in his name No. 26 on the Notice Paper of Other Business for to-day, it dropped.

(3.) Dr. Lang not moving the motion standing in his name No. 27 on the Notice Paper of Other Business for to-day, it dropped.

(4.) Mr. Hart not moving the motion standing in his name No. 28 on the Notice Paper of Other Business for to-day, it dropped.

42. Postponement:—Mr. Gordon postponed the motion standing in his name No. 29 on the Notice Paper of Other Business for to-day, until Tuesday next.

43. Motion Dropped:—Mr. Hart not moving the motion standing in his name No. 30 on the Notice Paper of Other Business for to-day, it dropped.

44. Postponements:—

(1.) The second reading of the Revenue and Audit Bill postponed, on motion of Mr. Piddington, until next Tuesday fortnight.

(2.) The second reading of the Parramatta Water Protection Bill postponed, on motion of Mr. Parkes, until Tuesday next.

45. Report of Standing Orders Committee on Proceedings in Committee of Supply:—On motion of Mr. Forster the Speaker left the Chair, and the House resolved itself into a Committee of the whole for the consideration of this Report.

The

The Chairman reported that the Committee had agreed to the following Resolutions:—

- (1.) That when a Motion is made, in Committee of Supply, to omit or reduce any item of a vote, a Question shall be proposed from the Chair for omitting or reducing such item accordingly; and Members shall speak to such Question only, until it has been disposed of.
- (2.) That when several Motions are offered, they shall be taken in the order in which the items to which they relate appear in the printed Estimates.
- (3.) That after a Question for omitting or reducing any item has been disposed of, no Motion shall be made, or Debate allowed upon any preceding item.
- (4.) That where it has been proposed to omit or reduce items in a Vote, the Question shall be afterwards put upon the original Vote, or upon the reduced Vote, as the case may be, without amendment.
- (5.) That when a general reduction of the amount of the Vote is proposed, comprising many items, the question shall be first put upon the smaller sum, and, if that be negatived, then upon the next smaller sum, and so on, until the Question is put upon the original Vote, after failure of the several motions for a general reduction thereof.
- (6.) That it shall be held to be in order, at any time during the discussion of an Estimate or Item in an Estimate which has not been previously amended, to move the postponement of such Estimate or Item, provided such postponement be until the whole of the Estimates or Supplementary Estimate for the year for which the proposed Vote is intended to be taken, shall have been disposed of.
- (7.) That the foregoing Resolutions stand as a Sessional Order of this House for the present Session.

Mr. Forster then moved, That this House do now adopt these Resolutions.

Question put and passed.

46. Salary of Chief Justice during absence of Sir Alfred Stephen:—Mr. Hay moved that the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause a sum of money to be placed on the Estimates for the Service of the year 1860, equal to one year's salary of the Chief Justice of the Colony, to make provision for the performance of the duties of that Office during the term of the leave of absence which Sir Alfred Stephen has applied for, and which, under all the circumstances of the case, as detailed in the papers now before it, this House thinks reasonable and just.

Debate ensued.

Question put.

The House divided.

#### Ayes, 21.

Mr. Black,	Mr. Macleay,	
*Mr. Forster,	Mr. Loder,	
Mr. Samuel,	Mr. Broughton,	
Mr. Hay,	Mr. Cape,	
Mr. Faucett,	Mr. Hamilton,	
Mr. Mort,	Mr. Plunkett,	
Mr. Egan,	Mr. Piddington,	
Mr. Hurlay,	Mr. McArthur,	} Tellers.
Mr. Roberts,	Mr. Wild,	
Mr. Jenkins.		
Mr. Nott,		
Mr. Martin,		

\* So in Tellers' Lists.

#### Noes, 12.

Mr. Gordon,	
Mr. Dickson,	
Mr. Arnold,	
*Mr. Forster,	
Mr. Pemell,	
Mr. Parkes,	
Mr. Jones,	
Mr. Wilson,	
Mr. Wisdom,	
Mr. Terry,	
Mr. Scott,	} Tellers.
Mr. Robertson,	

Whereupon the House resolved itself into the said Committee,

And the Committee having continued to sit till after Midnight;—

**THURSDAY, 26 JANUARY, 1860. A.M.**

The Chairman reported that the Committee had agreed to the following Resolution:—Resolved,—That an Address be presented to the Governor General, praying that His Excellency will cause a sum of money to be placed on the Estimates for the Service of the year 1860, equal to one year's salary of the Chief Justice of the Colony, to make provision for the performance of the duties of that Office during the term of the leave of absence which Sir Alfred Stephen has applied for, and which, under all the circumstances of the case, as detailed in the papers now before it, this House thinks reasonable and just.

Mr. Hay then moved, That this House do now adopt this Resolution.

Question put and passed.

The House adjourned, on motion of Mr. Forster, at twenty-five minutes after One o'clock, A.M., until Three o'clock, on Friday next.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JANUARY 27.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PLUNKETT to move, That the Petition of certain Female Inhabitants of New South Wales, relative to Education, presented by him on the 24th instant, be printed.
2. MR. DALLEY to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will be pleased to place upon an additional Estimate, for the year 1860, the sum of £100, to make the Salary of the office of Clerk of the Legislative Council equal to that of the office of Clerk of the Legislative Assembly, from 1 January, 1860.
3. MR. DALLEY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Applications, Memoranda, or other Documents, upon the subject of promotion, addressed by any Officers or Clerks of the Legislative Council or Assembly to the Government or any Member of it, since the resignation of Mr. Macpherson; also, all Correspondence between the Honorable the Speaker and the Executive Government, and between the Government and the Clerk of the Legislative Council, or the Clerk of the Assembly, together with all Minutes of the Executive Council upon the subject of promotion or change of office in the Parliamentary Staff.
4. MR. DALLEY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) Copies of all correspondence that have taken place between the Executive and Mr. W. R. Riley, relating to his appointment to, and removal from the Commission of the Peace.
  - (2.) Copies of all correspondence that has taken place between the Executive Government, and any person or persons upon the same subject.
  - (3.) Also copy of any Minutes of the Executive Council in reference thereto.
5. MR. JENKINS to move, That the Petition in reference to Education, presented by him on the 25th instant, be printed.
6. MR. MARTIN to move, That this House resolves as follows,—
  - (1.) That the Salaries of the District Court Judges were fixed at £1,000 a year, on the assumption that such an amount of remuneration was necessary to secure the services of competent lawyers.
  - (2.) That it is the duty of the Government in appointing such Judges to be influenced by no other consideration than the fitness of the person appointed.
  - (3.) That the Government failed to discharge its duty by permitting Mr. Cheeke in any way, directly or indirectly, to nominate or recommend his Successor, or to make any arrangement with such Successor as to his salary.
  - (4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
7. MR. PARKES to move, That the Petition from Richmond and Windsor, relative to the Tanners and Carriers Bill, presented by him on the 25th instant, be printed.
8. MR. PARKES to move, That the Petition of Frederick Dunbar, presented by him on the 25th instant, be printed.
9. MR. WILD to move, That the Petition of Mrs. Mary Jones, presented by him on the 24th instant, be printed.
10. MR. SCOTT to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates of Expenditure for this year, a sum of £3,236 10s. 3d., to be paid to Mr. John Moore Dillon, the late Criminal Crown Solicitor, in lieu of Pension for loss of Office.
11. MR. WEEKES to move for leave to bring in a Bill to amend the Sydney Insurance Company's Act of 1855.

## ORDERS OF THE DAY :—

1. Maitland Gas Lighting Bill ; second reading.
2. Tolls Amendment Act Repeal Bill ; second reading.
3. Resumption of the adjourned Debate on the Rev. Dr. Lang's motion, " That the Duration " of Legislative Assemblies Limitation Bill be now read a second time."—Upon which Mr. Piddington had moved the Previous Question.
4. Lien on Wool Act Continuation Bill ; second reading.
5. Newcastle Wallsend Coal Company's Railway Bill ; second reading.
6. Cattle Driving Act Amendment Bill ; third reading.
7. Capital Punishments Abolition Bill ; second reading.
8. Law of Primogeniture Abolition Bill ; second reading.
9. Resumption of the adjourned Debate on Dr. Lang's motion,—
  - " (1.) That a Select Committee be appointed to take into consideration, and to Report " upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Com- " pany's Act.
  - " (2.) That such Committee consist of the following Members, viz. :—Mr. Robertson, " Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."

10. Tanners and Carriers Bill; second reading.
11. Wesley College Bill; second reading.
12. Crown Lands Sales Bill; second reading.
13. Crown Lands Occupation Bill; second reading.
14. Importation of Cattle Regulation Bill; second reading.
15. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, That this Bill be now read a second time.

**Questions :—**

1. MR. LORD to ask THE COLONIAL SECRETARY,—If the Government have taken, or intend to take, any action with reference to the Petition from the Residents of Dubbo, presented by him on the 1st December, 1859, praying the establishment of Quarter Sessions at that place?
2. MR. DARVALL to ask THE COLONIAL TREASURER,—If the Government has taken any, and what steps, to effect a division of the Public Debt of New South Wales and Queensland?
3. MR. TERRY to ask THE COLONIAL SECRETARY,—
  - (1.) Whether a Petition praying that the Town of Mudgee be declared a Municipality within the meaning of the Act has been received; and if so, when, and by how many signed?
  - (2.) Why the Town of Mudgee has not been so declared a Municipality?
  - (3.) Whether any Petitions have been received in opposition thereto; if so, when, and by how many signed?
  - (4.) Have the Government any objection to cause to be laid upon the Table of this House, copies of all Petitions, Documents, and Correspondence, relating to any proposed Municipality or Municipalities, for Town or Suburb, in the Electoral District of Mudgee?
4. MR. TERRY to ask THE COLONIAL SECRETARY, in the absence of THE SECRETARY FOR PUBLIC WORKS,—If the Government have received any official communication from His Honor Judge Dowling, that it is not that gentleman's intention to hold any more Courts of Quarter Sessions in Mudgee, on account of the smallness and want of ventilation of the Court House, and the insufficient Gaol accommodation for Prisoners and if so, if it is the intention of the Government to place a sum of money on the Estimates for the present year for the purpose of enlarging and improving the said Court House and Gaol accommodation; and, if so, what sum?
5. MR. COOPER to ask THE SECRETARY FOR LANDS,—
  - (1.) Whether the plan of the Township of Nelligen has been carried out in accordance with the survey of Mr. Howland, which received the sanction of the Government?
  - (2.) Whether the Government has received any communication from the purchasers of land at Nelligen, concerning houses and buildings standing on the public reserve for streets and wharfs?
  - (3.) If so, what answer has been returned; or what steps have been taken by the Government to remedy this grievance?
6. MR. NOTT to ask THE SECRETARY FOR LANDS,—When the Papers moved for on the 14th October last, with reference to the Repairs of the Road from Tenterfield to Grafton, will be laid on the Table of the House?
7. MR. LAYCOCK to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to confirm the Proclamation respecting the Smithfield Road, issued in the *Government Gazette* of the 9th July last?
8. MR. LAYCOCK to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to place on the Supplementary Estimates for 1860, the sum of fifty pounds per mile for the repair of the Windsor and Liverpool Roads—and seven pounds per mile for the repair of the Smithfield, Dural, and Pennant Hills Roads, respectively?
9. MR. LAYCOCK to ask THE COLONIAL SECRETARY,—Whether the Government intend to appoint a Clerk of the Bench at Liverpool?
10. MR. ROBERTSON to ask THE COLONIAL SECRETARY,—Whether any steps have been taken to carry out the erection of a Bridge at Murrurundi, a provision of £1,300 having been made last year for this purpose; and if not, in what state the matter stands?
11. MR. DALRY to ask THE COLONIAL SECRETARY,—
  - (1.) Whether any application has been made to the Government by Mr. Cheeke, late Metropolitan District Court Judge, for a pecuniary allowance, during his absence from the Colony?
  - (2.) Whether the Government have, in consideration of Mr. Cheeke's long and valuable public services, made any arrangement with Mr. Cheeke to secure such allowance?

TUESDAY, JANUARY 31.

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Correspondence which has taken place between the Government and Captain Cheval Tabulum; Edward Ogilvie; and Robertson Brothers, Clarence River, with respect to the application of these parties to purchase extensive tracts of land, under the "pre-emptive right," in that locality.

2. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Correspondence which has taken place between the Government and the Returning Officer for the Electorate of New England, with respect to the appointment of additional Polling Places at Gostwyck, Tin, Toryburn, Ollera, and Rockvale, in that Electorate.
3. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of acres of land which have been alienated under the "pre-emptive right" since the inauguration of Responsible Government; specifying the quantity purchased by each individual; the locality in which such land was situated; the amount paid for each lot; and the names of the purchasers.
4. MR. MORT to move, That the Petition of certain Citizens of Sydney, relative to the enforcement of the Act for the removal of Slaughter-houses, and other Nuisances, from the precincts of the City, presented by him on the 24th instant, be printed.
5. MR. WILSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of all Correspondence held with the Government, concerning the establishment of an experimental Quartz Crushing Machine at the Royal Mint.
6. MR. HOSKINS to move, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the ensuing year the sum of £3,000, as a Reward Fund for the discovery of new "Gold Fields."
7. MR. PARKES to move, That in the opinion of this House an Amendment of the Law regulating the Sale and Occupation of the Crown Lands is called for by the public interest, and ought not to be delayed beyond the present Session of Parliament.
8. MR. DARVALL to move, That the Petition of the Churchwardens of St. Andrew's, presented by him on the 25th instant, be printed.
9. MR. WEEKES to move, That in the opinion of this House, from the large number of Magistrates resident in the District of Sydney, and their regular attendance at the Central Police Office, there is no necessity at the present time to put the country to the expense of an additional paid Police Magistrate for this City.
10. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
11. MR. MARTIN to move the following Resolutions:—
  - (1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony, any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders.
  - (2.) That this House is further of opinion that no portion of this Colony should have been separated from it and erected into a new Colony unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.
  - (3.) That inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony, lying between the 26th and 30th degrees of south latitude, petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent, by which such separation has been announced.
12. MR. GRAY to move, That the Petition of Thomas George Rusden, Esquire, presented by him on the 22nd ultimo, be printed.
13. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Postmaster General and the Inhabitants of Gundaroo, relative to the site of the Post Office in that District.
14. MR. WISDOM to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions in the case of Charles Skerrett, who was recently committed for cattle stealing by the Bench of Magistrates at Wingham; also, Copies of the Depositions taken in the case of the same person, committed by the same Bench for unlawfully presenting fire-arms.
15. MR. DALLEY to move, That there be laid on the Table of this House copies of all correspondence between Mr. Andrew Lenchau and the Government, with reference to a claim of Mr. Lenchan's for works performed at Government House.

16. MR. GORDON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence, including Petitions, &c., addressed to the Government, or from the Government to any person or persons, on the subject of Dungog being proclaimed a place where a District Court should be held in the Northern District.

ORDER OF THE DAY :—

1. Parramatta Water Protection Bill ; second reading.

Questions :—

1. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to extend the Northern Line of Telegraph to New England; and when?
2. MR. HOSKINS to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to ask the House to consent to the appointment of a Public Prosecutor?
3. MR. HOSKINS to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to introduce a Bill to amend the Act for the more effectual prevention of Vagrancy, during the present Session?
4. MR. CAPE to ask THE COLONIAL SECRETARY,—Is it the intention of the Government to make any provision in the Supplementary Estimates for the establishment of Industrial Schools and Juvenile Reformatories, or to take any proceedings in the matter, as prayed for in the Petition from Raymond Terrace, presented to this Honorable House, in November last?
5. MR. JENKINS to ask THE COLONIAL SECRETARY,—If it is the intention of the Government to introduce a Bill for the establishment of Industrial and Reformatory Institutions, for the Relief of Destitute Children, and the Prevention of Juvenile Delinquency; if so, whether they purpose doing so during the present Session?

WEDNESDAY, FEBRUARY 1.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Supply; Resumption of the Committee.
2. Ways and Means; Resumption of the Committee.
3. Loan Bill for 1860; third reading.
4. Telegraphic Communication with United Kingdom; Further consideration in Committee of Address for Subsidy towards.
5. Seamen's Engagement Amendment Bill; second reading.
6. Harbor, Pilotage, and Navigation Bill; second reading.

FRIDAY, FEBRUARY 3.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. MR. CUMMINGS to move, That the Select Committee on the "*Condition of the Bathurst Road*," have leave to inquire also into the management and construction of the Road.

Question :—

1. MR. CAPE to ask THE COLONIAL TREASURER,—Is it the intention of the Government to propose any addition, for the present year, to the ordinary annual grant of £20,000 for each of the Boards of Public Education?

TUESDAY, FEBRUARY 7.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. COOPER to move,—  
(1.) That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.

WEDNESDAY, FEBRUARY 8.

Contingent Notice of Motion :—

1. DR. LANG to move (on the proposal of the Honorable the Colonial Secretary to move the second reading of the *Elective Legislative Council Bill*),—That, in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony.

GOVERNMENT BUSINESS—ORDER OF THE DAY.

1. Elective Legislative Council Bill; second reading.

TUESDAY, FEBRUARY 14.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Revenue and Audit Bill; second reading.

DANIEL COOPER,  
Speaker.

No. 51.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

FRIDAY, 27 JANUARY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
**Alleged interference with Quartz Crushing Enterprise:**—Mr. Wilson presented a Petition from certain Miners, Quartz Crushers, and Traders, residing on the Adelong Gold Fields, representing that Messrs. Edwards and Channon had, under encouragement from them, erected a Quartz Crushing Machine at the said Diggings, which, in consequence of certain acts of injustice, remains inoperative, to the great detriment of the inhabitants of those Gold Fields; and praying relief.  
 Petition received.
2. **Macfarlane v. Murnin:**—Mr. Weekes presented a Petition from John Sangster Macfarlane, merchant, of Auckland, New Zealand, praying relief under circumstances of great alleged hardship, arising out of protracted litigation between himself and Michael Egan Murnin, Esquire, of Sydney, merchant.  
 Petition received.
3. **Public Education by means of Duties on Tea and Sugar:**—  
 (1.) Mr. Plunkett moved, pursuant to notice, That the Petition of certain Female Inhabitants of New South Wales, relative to Education, presented by him on the 24th instant, be printed.  
 Question put and passed.  
 Ordered to be printed.  
 (2.) Mr. Cape presented a Petition from certain members of the Mechanics' School of Arts at Sydney, advocating the promotion of improved and extended Public Education, by means of the Duties derivable from Tea and Sugar.  
 Petition received.
4. **Salary of Clerk of Legislative Council:**—Mr. Dalley moved, pursuant to notice, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will be pleased to place upon an additional Estimate, for the year 1860, the sum of £100, to make the Salary of the office of Clerk of the Legislative Council equal to that of the office of Clerk of the Legislative Assembly, from 1 January, 1860.  
 Debate ensued.  
 Question put.  
 The House divided.  

<p>Ayes, 15.</p> <p>Mr. Cooper, Mr. Murray, Mr. Wild, Mr. Cape, Mr. Mort, Mr. Terry, Mr. Egan, Mr. Macleay, Mr. Hyeronimus, Mr. Dalley, Mr. Jenkins, Mr. Plunkett, Rev. Dr. Lang, Mr. Lyons, Mr. Morris,</p>	<p>} Tellers.</p>	<p>Noes, 27.</p> <p>Mr. Robertson, Mr. Forster, Mr. Samuel, Mr. Black, Mr. Parkes, Mr. Windeyer, Mr. Nott, Mr. Watt, Mr. Irving, Mr. Gordon, Mr. Wilson, Mr. Martin, Mr. Byrnes, Mr. Loder, Mr. Broughton,</p>	<p>} Tellers.</p>
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5. **Parliamentary Officers:**—Mr. Dalley moved, pursuant to amended notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Applications, Memoranda, or other Documents, upon the subject of promotion, addressed by any Officers or Clerks of the Legislative Council or Assembly to the Government or any Member of it, since the resignation of Mr. Macpherson; together with all Minutes of the Executive Council upon the subject of promotion or change of office in the Parliamentary Staff from the same period.  
 Question put and passed.
6. **Postponement:**—Mr. Dalley postponed the motion standing in his name No. 4 on the Notice Paper of Other Business for to-day, until Friday next.

7. Public Education by means of Duties on Tea and Sugar :—Mr. Jenkins moved, That the Petition in reference to Education, presented by him on the 25th instant, be printed. Question put and passed.  
Ordered to be printed.
8. District Court Judges :—Mr. Martin moved, pursuant to notice, That this House resolves as follows :—  
(1.) That the Salaries of the District Court Judges were fixed at £1,000 a year, on the assumption that such an amount of remuneration was necessary to secure the services of competent lawyers.  
(2.) That it is the duty of the Government in appointing such Judges to be influenced by no other consideration than the fitness of the person appointed.  
(3.) That the Government failed to discharge its duty by permitting Mr. Cheeke in any way, directly or indirectly, to nominate or recommend his Successor, or to make any arrangement with such Successor as to his salary.  
(4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.  
Debate ensued.  
Mr. Hay moved, That the Question be amended by the omission of all the words of section (3) with a view to the insertion in their place of the following words :—  
“ That the Executive Government ought not to sanction any arrangement, directly or indirectly involving the payment to an Acting Judge of a salary smaller than that attached to the office by law.”  
Debate continued.  
Question put—That the words proposed to be omitted stand part of the Question.  
The House divided.

## Ayes, 12.

Mr. Forster,	Mr. Weekes,	
Mr. Black,	Mr. Gordon,	
Mr. Jones,	Mr. Oakes,	
Mr. Windeyer,	Mr. Martin,	
Mr. Parkes,	Mr. Wisdom,	
Mr. Egan,	Mr. Dickson,	} Tellers.

## Noes, 29.

Mr. Robertson,	Mr. Terry,	
Mr. Irving,	Mr. Asher,	
Mr. Hamilton,	Mr. Piddington,	
Mr. Byrnes,	Mr. Laycock,	
Mr. Hoskins,	Mr. G. Lang,	
Mr. Hodgson,	Mr. Pemell,	
Mr. Close,	Mr. Wilson,	
Mr. McArthur,	Mr. Cape,	
Mr. Lyons,	Mr. Morris,	
Mr. Macleay,	Rev. Dr. Lang,	
Mr. Hay,	Mr. Plunkett,	
Mr. Watt,	Mr. Jenkins,	
Mr. Hyeronimus,	Mr. Broughton,	
Mr. Faucett,	Mr. Nott,	} Tellers.
Mr. Loder,		

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

Whereupon Question—That this House resolves as follows :—

- (1.) That the Salaries of the District Court Judges were fixed at £1,000 a year, on the assumption that such an amount of remuneration was necessary to secure the services of competent lawyers.  
(2.) That it is the duty of the Government in appointing such Judges to be influenced by no other consideration than the fitness of the person appointed.  
(3.) That the Executive Government ought not to sanction any arrangement, directly or indirectly involving the payment to an Acting Judge, of a salary smaller than that attached to the office by law.  
(4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General,—  
Put and passed.
9. Tanners' and Curriers' Bill :—Mr. Parkes moved, pursuant to notice, That the Petition from Richmond and Windsor, relative to the Tanners' and Curriers' Bill, presented by him on the 25th instant, be printed.  
Question put and passed.  
Ordered to be printed.
10. Frederick Dunbar :—Mr. Parkes moved, pursuant to notice, That the Petition of Frederick Dunbar, presented by him on the 25th instant, be printed.  
Question put and passed.  
Ordered to be printed.
11. Mrs. Mary Jones :—Mr. Wild moved, pursuant to notice, That the Petition of Mrs. Mary Jones, presented by him on the 24th instant, be printed.  
Question put and passed.  
Ordered to be printed.
12. Motion dropped :—Mr. Scott not moving the motion standing in his name No. 10 on the Notice Paper for to-day, it dropped.
13. Sydney Insurance Company's Act of 1855 Amendment Bill :—Mr. Weekes moved, pursuant to notice, for leave to bring in a Bill to amend the Sydney Insurance Company's Act of 1855.  
Question put and passed ;—Ordered, That the Mover and Seconder prepare and bring in the Bill.
14. State Aid to Religion :—Mr. Hamilton presented a Petition from some of the Inhabitants of the District of Bombala—Manaroo, in the Colony of New South Wales, deprecating the withdrawal of State Aid to Religion.  
Petition received.



15. Sydney Insurance Company's Act of 1855 Amendment Bill :—Mr. Weekes having presented this Bill, and produced a 'Certificate that the sum of Twenty-five pounds had been paid to the credit of the Consolidated Revenue,—Bill, intituled, "*A Bill to amend an Act intituled, 'An Act to Incorporate a Company to be called the 'Sydney Insurance Company,'*" read a first time.
16. Maitland Gas Lighting Bill; on motion of Mr. Jones, read a second time. Whereupon, on motion of Mr. Jones, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, for the consideration thereof. The Chairman having reported the Bill without amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time on Tuesday next.
17. Tolls Amendment Act Repeal Bill; on motion of Mr. Robertson, read a second time. Whereupon, on motion of Mr. Robertson, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for the consideration thereof. The Chairman having reported the Bill, with an amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time on Tuesday next.
18. Duration of Legislative Assemblies Limitation Bill :—The adjourned debate on the Rev. Dr. Lang's motion, "That this Bill be now read a second time," upon which Mr. Piddington had moved the Previous Question,—resumed. Previous Question put,—"That this Question be now put." The House divided.

Ayes, 21.

Mr. Black,	Mr. Oakes,	} Tellers,
Mr. Robertson,	Mr. Jones,	
Mr. Dickson,	Mr. Wilson,	
Mr. Wisdom,	Mr. Laycock,	
Mr. Hoskins,	Mr. G. Lang,	
Mr. Pemell,	Mr. Plunkett,	
Mr. Windeyer,	Mr. Broughton,	
Mr. Parkes,	Rev. Dr. Lang,	
Mr. Weekes,	Mr. Lyons,	
Mr. Gordon,	Mr. Arnold,	
Mr. Terry,		

Noes, 19.

Mr. Forster,	Mr. Loder,	} Tellers.
Mr. Byrnes,	Mr. Irving,	
Mr. Morris,	Mr. Hodgson,	
Mr. Close,	Mr. Hay,	
Mr. Piddington,	Mr. Macleay,	
Mr. Hamilton,	Mr. Martin,	
Mr. Watt,	Mr. Murray,	
Mr. Jenkins,	Mr. Wild,	
Mr. Hyeronimus,	Mr. McArthur,	
Mr. Faucett,		

Original Question then put.  
The House divided.

Ayes, 21.

Mr. Black,	Mr. Oakes,	} Tellers.
Mr. Robertson,	Mr. Jones,	
Mr. Dickson,	Mr. Wilson,	
Mr. Wisdom,	Mr. Laycock,	
Mr. Hoskins,	Mr. G. Lang,	
Mr. Pemell,	Mr. Plunkett,	
Mr. Windeyer,	Mr. Broughton,	
Mr. Parkes,	Rev. Dr. Lang,	
Mr. Weekes,	Mr. Lyons,	
Mr. Gordon,	Mr. Arnold,	
Mr. Terry,		

Noes, 19.

Mr. Byrnes,	Mr. Hay,	} Tellers.
Mr. Forster,	Mr. Hodgson,	
Mr. Morris,	Mr. Irving,	
Mr. Wild,	Mr. Jenkins,	
Mr. Piddington,	Mr. Faucett,	
Mr. Hamilton,	Mr. Loder,	
Mr. Watt,	Mr. Close,	
Mr. Hyeronimus,	Mr. McArthur,	
Mr. Murray,		
Mr. Martin,		
Mr. Macleay,		

Bill read a second time.

Whereupon, on motion of the Rev. Dr. Lang, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for the consideration thereof.

The Chairman having reported the Bill without amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time on Tuesday next.

19. Postponement :—The second reading of the Lion on Wool Act Continuation Bill, postponed, on motion of Mr. Gordon, until Friday next.

20. Newcastle Wallsend Coal Company's Railway Bill; on motion of Mr. Jones, read a second time.

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

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

21. Cattle Driving Act Amendment Bill; on motion of Mr. Windeyer, read a third time, and passed.

Mr. Windeyer then moved, That the Title of this Bill be, "*An Act to amend the 'Cattle Driving Act, 16 Vic., No. 23.'*"

Question put and passed.

Whereupon Mr. Windeyer moved, That this Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to amend the Cattle Driving Act, 16 Vic., No. 23,*" presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,  
Sydney, 27 January, 1860.

Speaker.

Question put and passed.

The House adjourned, on motion of Mr. Forster, at twenty minutes before Twelve o'clock, until Tuesday next, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JANUARY 31.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Correspondence which has taken place between the Government and Captain Cheval Tabulum, Edward Ogilvie, and Robertson Brothers, Clarence River, with respect to the application of these parties to purchase extensive tracts of land, under the "pre-emptive right," in that locality.
2. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Correspondence which has taken place between the Government and the Returning Officer for the Electorate of New England, with respect to the appointment of additional Polling Places at Gostwyck, Tia, Toryburn, Ollera, and Rockvale, in that Electorate.
3. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of acres of land which have been alienated under the "pre-emptive right" since the inauguration of Responsible Government; specifying the quantity purchased by each individual; the locality in which such land was situated; the amount paid for each lot; and the names of the purchasers.
4. MR. MORT to move, That the Petition of certain Citizens of Sydney, relative to the enforcement of the Act for the removal of Slaughter-houses, and other Nuisances, from the precincts of the City, presented by him on the 24th instant, be printed.
5. MR. WILSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of all Correspondence held with the Government, concerning the establishment of an experimental Quartz Crushing Machine at the Royal Mint.
6. MR. HOSKINS to move, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year the sum of £3,000, as a Reward Fund for the discovery of new "Gold Fields."
7. MR. PARKES to move, That, in the opinion of this House, an amendment of the Law regulating the Sale and Occupation of the Crown Lands is called for by the public interest, and ought not to be delayed beyond the present Session of Parliament.
8. MR. DARVALL to move, That the Petition of the Churchwardens of St. Andrew's, presented by him on the 25th instant, be printed.
9. MR. WEEKES to move, That, in the opinion of this House, from the large number of Magistrates resident in the District of Sydney, and their regular attendance at the Central Police Office, there is no necessity at the present time to put the country to the expense of an additional paid Police Magistrate for this City.
10. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
11. MR. MARTIN to move the following Resolutions :—
  - (1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders.
  - (2.) That this House is further of opinion that no portion of this Colony should have been separated from it and erected into a new Colony unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.
  - (3.) That, inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony, lying between the 26th and 30th degrees of south latitude, petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent, by which such separation has been announced.
12. MR. GRAY to move, That the Petition of Thomas George Rusden, Esquire, presented by him on the 22nd ultimo, be printed.

13. **MR. MURRAY** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Postmaster General and the Inhabitants of Gundaroo, relative to the site of the Post Office in that District.
14. **MR. WISDOM** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions in the case of Charles Skerrett, who was recently committed for cattle stealing by the Bench of Magistrates at Wingham; also, Copies of the Depositions taken in the case of the same person, committed by the same Bench for unlawfully presenting fire-arms.
15. **MR. DALLEY** to move, That there be laid upon the Table of this House copies of all correspondence between Mr. Andrew Lenahan and the Government, with reference to a claim of Mr. Lenahan's for works performed at Government House.
16. **MR. GORDON** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence, including Petitions, &c., addressed to the Government, or from the Government to any person or persons, on the subject of Dungog being proclaimed a place where a District Court should be held in the Northern District.
17. **MR. WATT** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions taken at the Police Office, Carcoar, in the month of November last, in the case of the *Queen v. James Clarke*, charged with petty larceny; also Copies of the Depositions taken on the same day in a charge against the same man under the Vagrant Act, when he was sentenced to two years' imprisonment.
18. **MR. PIDDINGTON** to move, That there be laid upon the Table of this House, a Return shewing the balances in the Treasury on the 31st day of December, 1859, distinguishing the various balances at the credit of the Public Revenue Accounts and Reserves under Special Appropriations, also of the various Lodgment Accounts, the distribution of the balances, and the rate of interest receivable by the Government for any Cash Balance.
19. **MR. PIDDINGTON** to move, That there be laid upon the Table of this House, a Return of all Debentures issued by the Government of New South Wales, specifying:—
  - (1.) The services for which the said Debentures have been issued.
  - (2.) The particular amounts for various services expended.
  - (3.) The several due dates of such Debentures.
  - (4.) The amount in one sum which may fall due in each year until the whole amount now in issue shall be due.
  - (5.) The amount of any balance at the credit of the Government on account of the Loan Fund.
  - (6.) The annual amount of interest now payable upon the entire debt of the Colony.
20. **DR. WILSON** to move, That the Petition from the Adelong Gold Fields, presented by him on the 27th instant, be printed.
21. **MR. WEEKES** to move, That the Petition of J. S. Macfarlane, presented by him on the 27th instant, be printed.
22. **MR. ROBERTSON** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
  - (1.) A Copy of the Report of the Acting Surveyor General, of the 15th August, 1858, to the Secretary for Lands and Public Works, on the subject of the East Maitland Land Reserves.
  - (2.) All Documents referred to in such Report.
  - (3.) The Cabinet Minute of the Secretary for Lands and Public Works, of the 7th May, 1859, and the Executive Council Minute approved by His Excellency the Governor General, on the 20th of the same month, in each case, relating to the same matter.
23. **MR. WEEKES** to move,—
  - (1.) That the Sydney Insurance Company's Act Amendment Bill be referred for the consideration and report of a Select Committee.
  - (2.) That such Committee consist of the following Members:—Mr. Atkinson, Mr. Close, Mr. Cooper, Mr. Dickson, Mr. Gray, Mr. Hawkins, Mr. Lyons, Mr. Nott, and Mr. Rotton.
24. **MR. HAMILTON** to move, That the Petition from Bombala—Monaroo, relative to State Aid to Religion, presented by him on the 27th instant, be printed.

**ORDERS OF THE DAY:—**

1. Parramatta Water Protection Bill; second reading.
2. Maitland Gas Lighting Bill; third reading.
3. Tolls Amendment Act Repeal Bill; third reading.
4. Duration of Legislative Assemblies Limitation Bill; third reading.
5. Newcastle Wallsend Coal Company's Railway Bill; to be further considered in Committee.
6. Capital Punishments Abolition Bill; second reading.
7. Law of Primogeniture Abolition Bill; second reading.
8. Resumption of the adjourned Debate on Dr. Lang's motion,—
  - "(1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
  - "(2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."

9. 'Tanners' and Curriers' Bill; second reading.
10. Wesley College Bill; second reading.
11. Crown Lands Sales Bill; second reading.
12. Crown Lands Occupation Bill; second reading.
13. Importation of Cattle Regulation Bill; second reading.
14. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, That this Bill be now read a second time.

*Questions :—*

1. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to extend the Northern Line of Telegraph to New England; and when?
2. MR. HOSKINS to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to ask the House to consent to the appointment of a Public Prosecutor?
3. MR. HOSKINS to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to introduce a Bill to amend the Act for the more effectual prevention of Vagrancy, during the present Session?
4. MR. CAPE to ask THE COLONIAL SECRETARY,—Is it the intention of the Government to make any provision in the Supplementary Estimates for the establishment of Industrial Schools and Juvenile Reformatories, or to take any proceedings in the matter, as prayed for in the Petition from Raymond Terrace, presented to this Honorable House, in November last?
5. MR. JENKINS to ask THE COLONIAL SECRETARY,—If it is the intention of the Government to introduce a Bill for the establishment of Industrial and Reformatory Institutions, for the Relief of Destitute Children, and the Prevention of Juvenile Delinquency; if so, whether they purpose doing so during the present Session?
6. MR. PRUNKETT to ask THE COLONIAL SECRETARY,—Whether there is any truth in the rumour that a Despatch from the Home Government relating to the suspension of the Royal Assent to the Assessment Act, assented to 11th November, 1858, has been withheld from the knowledge of this House; and, if true, whether the present Government will have any objection to present the Despatch alluded to, to the House, in order that it may be printed, together with any Minutes of the Executive Council thereon?
7. MR. MORRIS to ask THE SECRETARY FOR LANDS,—  
(1.) Whether any of the Pastoral Occupants of Crown Lands have failed to pay the Assessment imposed by the Act, 22 Victoria, No. 17?  
(2.) If there are any such defaulters; what steps have been taken to enforce payment?
8. MR. WILSON to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to place a sum of money on the Supplementary Estimate for 1860, for the formation of a Road from Araluen to Mungo, on the Clyde Road?
9. MR. COOPER to ask THE COLONIAL SECRETARY,—Whether the present Government is willing to carry out the arrangement entered into between the late Government and himself in reference to the construction of a line of Telegraph from Goulburn to Braidwood, which, in accordance with the principle laid down in other cases, was to the effect that one-third of the expense of constructing such line should be borne by the people of Braidwood, the other two-thirds to be paid by the Government; the people of Braidwood should have their one-third refunded to them within three years from the date of the first payment?
10. MR. LORD to ask THE SECRETARY FOR LANDS,—When the Government intend proclaiming Coonabarabran a Township?
11. MR. LYONS to ask THE COLONIAL SECRETARY,—Whether the Government noticed a case reported in the daily Journals, under the head of Police Reports, by which it appeared that a Magistrate of this City had been charged and found guilty of conduct towards a Minister of Religion—unbecoming a gentleman, and derogatory to the character of a Magistrate—for which offence he was fined £5?
12. MR. TERRY to ask THE COLONIAL SECRETARY,—Whether in the event of a Militia being enrolled, any, and what description of Arms will be available for them—and if any Arms have been sent for from the Home Government; and, if so, the date and nature of such application?
13. MR. DALLEY to ask THE COLONIAL SECRETARY,—Whether any Correspondence of any kind whatever has taken place between Mr. Cheeke, late Metropolitan District Court Judge and the Government, with reference to an allowance to Mr. Cheeke during his retirement from the Colony?
14. MR. WINDEYER to ask THE SECRETARY FOR LANDS,—  
(1.) Whether the Government have complied with the application of the Raymond Terrace Bench, made on the 15th December, for a New Punt Rope?  
(2.) Whether the Government are aware, that in consequence of that application not having been forwarded from the Office of the Secretary for Public Works to the Office of the Secretary for Lands until the 9th of January, communication has been stopped between Maitland and Raymond Terrace for three weeks?

WEDNESDAY, FEBRUARY 1.

*Contingent Notice of Motion :—*

1. MR. SAMUEL to move (in Committee of Supply) :—

That there be appropriated a sum not exceeding £78,000 to defray the expenses of the various Departments and Services of the Colony, for the month of February, 1860, at the rates sanctioned for the present year; and a sum not exceeding £14,000 for the construction of Roads and Bridges and Works and Buildings during the same month.

GOVERNMENT

## GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Supply; Resumption of the Committee.
2. Ways and Means; Resumption of the Committee.
3. Loan Bill for 1860; third reading.
4. Telegraphic Communication with United Kingdom; Further consideration in Committee of Address for Subsidy towards.
5. Seamen's Engagement Amendment Bill; second reading.
6. Harbor, Pilotage, and Navigation Bill; second reading.

## Questions:—

1. MR. TERRY to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to abolish the duty on Gold; and whether it is their intention otherwise to to ease the hardships under which the Gold Diggers labour?
2. MR. CAPE to ask THE COLONIAL TREASURER (on the motion being made for going into Committee of Supply),—
  - (1.) How far it would be a saving of expenditure and an advantage to the public if the Customs Stations at Botany and Broken Bay Heads were made Police and Ferry Stations?
  - (2.) What services are at present rendered by the establishments referred to?

## FRIDAY, FEBRUARY 3.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. MR. CUMMINGS to move, That the Select Committee on the "*Condition of the Bathurst Road*," have leave to inquire also into the management and construction of the Road.
3. DR. LANG to move, That the Petition of the Hon. Alexander Berry, Esq., ordered by this House to be printed on Friday, 23rd September last, be now taken into consideration.
4. MR. DALLEY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Despatches and Communications with the Imperial Government relative to the Petition of Mr. Jonathan Croft.
5. MR. HODGSON to move, That the Return to the Address respecting Lieutenant Seaver, R.N., laid upon the Table of this House, by the Honorable the Colonial Treasurer, on the 24th instant, be printed.
6. MR. DALLEY to move, That an Address be presented to the Governor General, 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 Executive and Mr. W. R. Riley, relating to his appointment to, and removal from the Commission of the Peace.
  - (2.) Copies of all correspondence that has taken place between the Executive Government, and any person or persons upon the same subject.
  - (3.) Also copy of any Minutes of the Executive Council in reference thereto.

## ORDER OF THE DAY:—

1. Lien on Wool Act Continuation Bill; second reading.

## Questions:—

1. MR. CAPE to ask THE COLONIAL TREASURER,—Is it the intention of the Government to propose any addition, for the present year, to the ordinary annual grant of £20,000 for each of the Boards of Public Education?
2. MR. CAPE to ask THE SECRETARY FOR LANDS,—Is the Geological Survey of New South Wales still in progress; if so, when will Sections of the Map be exhibited for the information of the public, at the Office of the Surveyor General?

## TUESDAY, FEBRUARY 7.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. COOPER to move,—That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.
2. MR. JENKINS to move, That this House having had under consideration the following Petitions, presented on January 24th and 25th, in favor of Universal Education in this Colony, and the retention of the duties on Tea and Sugar, to provide a fund for the carrying out of the same, viz.:—
  1. Petition from certain Female Residents of Sydney.
  2. Petition from the Judges, Professors of the University, Clergymen, Professional Men, Bankers, Merchants, and other Citizens of Sydney.
  3. Petition from Members of Sydney Mechanics' School of Arts,—Resolves—
    - (1.) That it is essential to the political stability and social advancement of this Colony, that the advantages of Primary Education should be universally diffused.
    - (2.) That large means are required to carry out successfully such measures as will secure Universal Education in this Colony.

(3.)

- (3.) That so soon as the exigencies of the Government will permit, the duties upon Tea and Sugar ought to cease to form a portion of the Consolidated Revenue Fund.  
 (4.) That the duties upon Tea and Sugar ought to be applied to the creation and maintenance of a Fund for the promotion of Public Education.  
 (5.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.

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WEDNESDAY, FEBRUARY 8.

*Contingent Notice of Motion :—*

1. DR. LANG to move (*on the proposal of the Honorable the Colonial Secretary to move the second reading of the Elective Legislative Council Bill*),—That, in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony.

GOVERNMENT BUSINESS—ORDER OF THE DAY.

1. Elective Legislative Council Bill ; second reading.
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TUESDAY, FEBRUARY 14.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Revenue and Audit Bill ; second reading.

DANIEL COOPER,  
*Speaker.*

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No. 52.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

TUESDAY, 31 JANUARY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Maitland Pasturage Reserve:—Mr. Dickson presented a Petition from certain inhabitants of Maitland and its vicinity, complaining that a portion of land originally dedicated as a "Reserve for Pasturage for Maitland" has been recently marked out in allotments for sale; and praying to be secured in their legitimate rights under the original dedication.  
Petition received.
2. Mr. William Sutherland:—Mr. Wilson, 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 7th October last, the Petition of Mr. William Sutherland, and moved that the same, together with the Appendix, and Minutes of Proceedings, be printed.  
Question put and passed.  
Ordered to be printed.
3. St. Andrew's College Bill:—The Rev. Dr. Lang presented a Petition from certain Ministers of the Synod of New South Wales, against the passing of the St. Andrew's College Bill, for reasons detailed in the said Bill.  
Petition received.
4. Special Roman Catholic Education:—Mr. Oxley presented a Petition from certain Roman Catholic Inhabitants of Berrima, Sutton Forest, and Mittagong, praying that a sum, in proportion to the Roman Catholic section of the population, may be deducted from the amount voted for National Education, and specially set apart for Roman Catholic Education.  
Petition received.
5. Hawkesbury Benevolent Society's Act Amendment Bill:—Mr. Dalley presented a Petition from certain Office-bearers and Members of the Hawkesbury Benevolent Society, praying leave to introduce a Bill to amend the Hawkesbury Benevolent Society's Act of Incorporation,—and, having produced the *Government Gazette*, and the *Sydney Morning Herald* and *Parramatta Chronicle* newspapers, containing notice, for four consecutive weeks, in the months of November and December last, of the intention to apply for such Bill,—  
Petition received.

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

(1.) Proposed Correction in Vote on Further Supplementary Estimate for 1859:—

W. DENISON,

*Message No. 17.**Governor General.*

In the Further Supplementary Estimate for 1859, the Governor General proposed to the Legislative Assembly to appropriate a certain sum for repairs to the Tank Stream, between Bridge-street and the Circular Quay; and the vote was so passed.

The Governor General's attention has since been drawn to the circumstance that it was intended to expend the amount in question upon repairs to the Tank Stream between Hunter and Bridge streets, being the portion in the rear of the Buildings recently erected in that locality, and His Excellency therefore, by the advice of the Executive Council, now invites the Assembly to cancel their previous Vote, and to appropriate the same sum, viz., £3,465, for carrying out the repairs which it was really intended to effect.

*Government House,*

31 January, 1860.

Ordered to be printed, and taken into consideration in Committee of Supply.

(2.) Salary of Chief Justice during absence of Sir Alfred Stephen:—

W. DENISON,

*Message No. 18.**Governor General.*

In reply to the Address of the Legislative Assembly, requesting that a sum of money equal to one year's salary of the Chief Justice should be placed on the Estimates for the Service of the year 1860, in order to provide for the performance of the duties of that Office during the absence of the Chief Justice, to whom, it is

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the opinion of the Assembly, leave of absence for twelve months may reasonably be granted;—

The Governor General has with the advice of his Executive Council given direction that the sum in question shall be inserted in the Estimates for the present year.

*Government House,*

31 January, 1860.

(3.) Defences of the Colony :—

W. DENISON,

*Governor General.*

*Message No. 19.*

In accordance with the request contained in an Address from the Legislative Assembly, submitting certain Resolutions with reference to the Defence of the Colony, adopted by that House on the 20th December, 1859;—

The Governor General has forwarded to the Secretary of State Copies of the Resolutions in question, and has brought them under the consideration of the Executive Council.

It must, however, be obvious to the Legislative Assembly that upon a question of such importance, involving as it does considerations of Finance as well as others more peculiarly appertaining to the organization of a Militia, it would be impossible for the Government to give a hasty opinion.

*Government House,*

31 January, 1860.

7. Removal of Slaughter Houses and other Nuisances from Sydney :—Mr. Mort presented a Petition from certain Inhabitants of Sydney and Suburbs, drawing attention to the Colonial Act 13 Vic., No. 42, for the removal of Slaughter Houses and other Nuisances from the precincts of the City; and praying the enforcement of the said Act.  
Petition received.

8. Retirement of the Speaker :—Mr. Speaker addressed the House as follows :—

In accordance with the intimation already given, I now beg to resign my Office of Speaker to this Honorable House.

It is with sincere concern and regret that I take this step in the midst of the business of the Session; but my failing Health warns me not to persist in the performance of duties which have now become too onerous for me, and which, were I to continue in the Chair, might injuriously affect my health for the remainder of my Life.

After having had the distinguished honor of presiding over the three first Parliaments, since the introduction of Responsible Government, I cannot resign so honorable a position without personally expressing to the House the deep gratitude I feel for the constant kindness and assistance I have always received from Honorable Members, in my humble endeavours to discharge the high and arduous duties of my Office.

When I call to mind that, after my first election, the House sat for four months without any Rules and Orders, and that a knowledge of the Precedents and Rules to follow has been acquired only by slow degrees, I feel that I ought to be indeed thankful for the forbearance and support I have always experienced from the House; and I also feel how necessary it is that the same forbearance and encouragement should be extended to my Successor in the Chair.

I have often felt my deficiencies, and regretted that I had not more energy to bring to the performance of my various and difficult duties;—but I trust that the House will be kind in reviewing my failings, for I can conscientiously say, that whatever errors I may have committed have been those of the judgment only.

I have received from the Officers of the House most valuable and able assistance, and I have great pleasure in acknowledging their zeal and ability thus openly to the House.

Again thanking the House, and Honorable Members individually, for all the favors and kindnesses bestowed upon me, I venture to express my most earnest prayer that they will in all their proceedings keep to the spirit of the Rules and Orders of the Imperial Parliament, and that they will at all times maintain the Independence, Rights, and Privileges of the House.

Mr. Jones then moved, That what Mr. Speaker has now said be printed in the Votes and Proceedings of the House for this day.

Question put and passed.

Whereupon Sir Daniel Cooper retired from the Chair of this House.

9. Election of Speaker :—John Hubert Plunkett, Esquire, addressing himself to the Clerk (who standing up pointed to him and then sat down) proposed to the House for their Speaker, Terence Aubrey Murray, Esquire, and moved,—

“That Terence Aubrey Murray, Esquire, do take the Chair of this House, as Speaker”,—which motion was seconded by Henry Parkes, Esq., and supported by the Reverend Dr. Lang.

The House, then, calling Mr. Murray to the Chair, he stood up in his place and expressed the sense he had of the honor proposed to be conferred upon him, and submitted himself to the House.

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The House then again unanimously calling Mr. Murray to the Chair,—he was taken out of his place by Mr. Plunkett and Mr. Parkes and conducted to the Chair,—where, standing on the upper step, he returned his acknowledgments to the House for the great honor they had been pleased to confer upon him, by unanimously choosing him to be their Speaker,—

And thereupon he sat down in the Chair.

Then Mr. Forster and Mr. Jones having congratulated the Speaker; Mr. Forster acquainted the House that he had previously ascertained from the Governor General that His Excellency would receive their Speaker at Government House to-morrow, at half-past Eleven o'clock, A.M.,—

Whereupon the House adjourned, on motion of Mr. Forster, at ten minutes before Five o'clock, until to-morrow, at Eleven o'clock.

### WEDNESDAY, FEBRUARY 1.

MEMO—The House meet at *Eleven* o'clock, A.M., this day, to proceed to Government House, and there at half-past Eleven o'clock, A.M., present their Speaker to His Excellency the Governor General.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

### WEDNESDAY, FEBRUARY 1.

#### *Special Notice of Motion :—*

1. MR. JONES to move a Vote of Thanks to the late Speaker of this House.

#### *Contingent Notice of Motion :—*

2. MR. SAMUEL to move (in *Committee of Supply*) :—

That there be appropriated a sum not exceeding £78,000 to defray the expenses of the various Departments and Services of the Colony, for the month of February, 1860, at the rates sanctioned for the present year; and a sum not exceeding £14,000 for the construction of Roads and Bridges and Works and Buildings during the same month.

#### GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Supply; Resumption of the Committee.
2. Ways and Means; Resumption of the Committee.
3. Loan Bill for 1860; third reading.
4. *Telegraphic Communication with United Kingdom; Further consideration in Committee of Address for Subsidy towards.*
5. *Seamen's Engagement Amendment Bill; second reading.*
6. *Harbor, Pilotage, and Navigation Bill; second reading.*

#### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move, That the undermentioned Documents be referred for consideration to the Select Committee now sitting on the Condition of the Working Classes of this Metropolis,—  
 (1.) The Report and Evidence of the Select Committee appointed by the Legislative Council of 1854, on the motion of Mr. Parkes, to consider the subject of establishing a Nautical School in the Port of Sydney.  
 (2.) The Report and Evidence of the Select Committee appointed by the same body in the same year, on the motion of Mr. Martin, to take Evidence respecting Destitute Children.  
 (3.) The Report and Evidence of the Select Committees appointed by the same body in 1854 and in 1855, on the motion of Mr. Cowper, to inquire into and report upon the Increase of Intemperance.
2. DR. LANG to move, That the Petition of certain Presbyterian Ministers, on the subject of the St Andrew's College Bill, be referred to the Select Committee now sitting on the Presbyterian College.
3. MR. DALLEY to move for leave to bring in a Bill to amend the Hawkesbury Benevolent Society's Act of Incorporation.
4. MR. OXLEY to move, That the Petition relative to Special Roman Catholic Education, presented by him on the 31st ultimo, be printed.
5. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Correspondence which has taken place between the Government and Captain Cheval Tabulum, Edward Ogilvie, and Robertson Brothers, Clarence River, with respect to the application of these parties to purchase extensive tracts of land, under the "pre-emptive right," in that locality.
6. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Correspondence which has taken place between the Government and the Returning Officer for the Electorate of New England, with respect to the appointment of additional Polling Places at Gostwyck, Tia, Toryburn, Ollera, and Rockvale, in that Electorate.

7. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of acres of land which have been alienated under the "pre-emptive right" since the inauguration of Responsible Government; specifying the quantity purchased by each individual; the locality in which such land was situated; the amount paid for each lot; and the names of the purchasers.
8. MR. MOAT to move, That the Petition of certain Citizens of Sydney, relative to the enforcement of the Act for the removal of Slaughter-houses, and other Nuisances, from the precincts of the City, presented by him on the 24th instant, be printed.
9. MR. WILSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of all Correspondence held with the Government, concerning the establishment of an experimental Quartz Crushing Machine at the Royal Mint.
10. MR. HOSKINS to move, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year the sum of £3,000, as a Reward Fund for the discovery of new "Gold Fields."
11. MR. PARKES to move, That, in the opinion of this House, an amendment of the Law regulating the Sale and Occupation of the Crown Lands is called for by the public interest, and ought not to be delayed beyond the present Session of Parliament.
12. MR. DARVALL to move, That the Petition of the Churchwardens of St. Andrew's, presented by him on the 25th instant, be printed.
13. MR. WEEKES to move, That, in the opinion of this House, from the large number of Magistrates resident in the District of Sydney, and their regular attendance at the Central Police Office, there is no necessity at the present time to put the country to the expense of an additional paid Police Magistrate for this City.
14. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or. Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
15. MR. MARTIN to move the following Resolutions:—
  - (1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders.
  - (2.) That this House is further of opinion that no portion of this Colony should have been separated from it and erected into a new Colony unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.
  - (3.) That, inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony, lying between the 26th and 30th degrees of south latitude, petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent, by which such separation has been announced.
16. MR. GRAY to move, That the Petition of Thomas George Rusden, Esquire, presented by him on the 22nd ultimo, be printed.
17. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Postmaster General and the Inhabitants of Gundaroo, relative to the site of the Post Office in that District.
18. MR. WISDOM to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions in the case of Charles Skerrett, who was recently committed for cattle stealing by the Bench of Magistrates at Wingham; also, Copies of the Depositions taken in the case of the same person, committed by the same Bench for unlawfully presenting fire-arms.
19. MR. DALLEY to move, That there be laid upon the Table of this House copies of all correspondence between Mr. Andrew Lenahan and the Government, with reference to a claim of Mr. Lenahan's for works performed at Government House.
20. MR. GORDON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence, including Petitions, &c., addressed to the Government, or from the Government to any person or persons, on the subject of Dungng being proclaimed a place where a District Court should be held in the Northern District.
21. MR. WATT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions taken at the Police Office, Carcoar, in the month of November last

last, in the case of the Queen v. James Clarke, charged with petty larceny; also Copies of the Depositions taken on the same day in a charge against the same man under the Vagrant Act, when he was sentenced to two years' imprisonment.

22. MR. PINDINGTON to move, That there be laid upon the Table of this House, a Return shewing the balances in the Treasury on the 31st day of December, 1859, distinguishing the various balances at the credit of the Public Revenue Accounts and Reserves under Special Appropriations, also of the various Lodgment Accounts, the distribution of the balances, and the rate of interest receivable by the Government for any Cash Balance.
23. MR. PINDINGTON to move, That there be laid upon the Table of this House, a Return of all Debentures issued by the Government of New South Wales, specifying:—
  - (1.) The services for which the said Debentures have been issued.
  - (2.) The particular amounts for various services expended.
  - (3.) The several due dates of such Debentures.
  - (4.) The amount in one sum which may fall due in each year until the whole amount now in issue shall be due.
  - (5.) The amount of any balance at the credit of the Government on account of the Loan Fund.
  - (6.) The annual amount of interest now payable upon the entire debt of the Colony.
24. DR. WILSON to move, That the Petition from the Adelong Gold Fields, presented by him on the 27th instant, be printed.
25. MR. WEEKES to move, That the Petition of J. S. Macfarlane, presented by him on the 27th instant, be printed.
26. MR. ROBERTSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
  - (1.) A Copy of the Report of the Acting Surveyor General, of the 15th August, 1858, to the Secretary for Lands and Public Works, on the subject of the East Maitland Land Reserves.
  - (2.) All Documents referred to in such Report.
  - (3.) The Cabinet Minute of the Secretary for Lands and Public Works, of the 7th May, 1859, and the Executive Council Minute approved by His Excellency the Governor General, on the 20th of the same month, in each case, relating to the same matter.
27. MR. WEEKES to move,—
  - (1.) That the Sydney Insurance Company's Act Amendment Bill be referred for the consideration and report of a Select Committee.
  - (2.) That such Committee consist of the following Members:—Mr. Atkinson, Mr. Close, Mr. Cooper, Mr. Dickson, Mr. Gray, Mr. Hawkins, Mr. Lyons, Mr. Nott, and Mr. Rotton.
28. MR. HAMILTON to move, That the Petition from Bombala—Monaroo, relative to State Aid to Religion, presented by him on the 27th instant, be printed.

ORDERS OF THE DAY:—

1. Parramatta Water Protection Bill; second reading.
2. Maitland Gas Lighting Bill; third reading.
3. Tolls Amendment Act Repeal Bill; third reading.
4. Duration of Legislative Assemblies Limitation Bill; third reading.
5. Newcastle Wallsend Coal Company's Railway Bill; to be further considered in Committee.
6. Capital Punishments Abolition Bill; second reading.
7. Law of Primogeniture Abolition Bill; second reading.
8. Resumption of the adjourned Debate on Dr. Lang's motion,—
  - "(1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
  - "(2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
9. Tanners' and Carriers' Bill; second reading.
10. Wesley College Bill; second reading.
11. Crown Lands Sales Bill; second reading.
12. Crown Lands Occupation Bill; second reading.
13. Importation of Cattle Regulation Bill; second reading.
14. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, That this Bill be now read a second time.

Questions:—

1. MR. TERRY to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to abolish the duty on Gold; and whether it is their intention otherwise to to ease the hardships under which the Gold Diggers labour?
2. MR. CAPE to ask THE COLONIAL TREASURER (on the motion being made for going into Committee of Supply),—
  - (1.) How far it would be a saving of expenditure and an advantage to the public if the Customs Stations at Botany and Broken Bay Heads were made Police and Ferry Stations?
  - (2.) What services are at present rendered by the establishments referred to?
3. MR. MORRIS to ask THE SECRETARY FOR LANDS,—If it is the intention of the Government to enforce, against defaulters, the Assessment imposed on the Pastoral Occupants by the Act, 22 Victoria, No. 17?

4. MR. LAYCOCK to ask THE SECRETARY FOR LANDS,—Whether the present Government contemplate the formation and opening of a General Cemetery more remote from the rapidly increasing Suburbs of Sydney, and closing those in present use, so urgently required for the proper sanitary condition of the population; and, if so, when?
5. MR. LAYCOCK to ask THE COLONIAL SECRETARY,—
  - (1.) When arrangements are to be made by the present Government whereby the Honorable Secretary for Works shall cease to be a Member of the Legislative Council, and thereby an irresponsible Minister of the Government?
  - (2.) And also, for what reason the responsible heads of the Government do not sit in the Legislative Assembly?
6. MR. PARKES to ask THE COLONIAL SECRETARY,—When the new Commission of the Peace will be issued?
7. MR. HODGSON to ask THE COLONIAL TREASURER,—
  - (1.) Whether any information has reached the Government respecting the total wreck, on the 25th ultimo, of the schooner "Iris," in Hannah Bay, south of Port Stephens, with loss of five lives?
  - (2.) Whether any report from the Pilot and Navigation Board has been forwarded to the Government, on the subject of an eligible site for a Light House at Port Stephens?
  - (3.) Whether there is any intention on the part of the Government to erect a Light House at Port Stephens without delay?

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THURSDAY, FEBRUARY 2.

Question :—

1. MR. COOPER to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to appoint a Public Magistrate at Braidwood?

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FRIDAY, FEBRUARY 3.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. MR. CUMMINGS to move, That the Select Committee on the "*Condition of the Bathurst Road*," have leave to inquire also into the management and construction of the Road.
3. DR. LANG to move, That the Petition of the Hon. Alexander Berry, Esq., ordered by this House to be printed on Friday, 23rd September last, be now taken into consideration.
4. MR. DALLEY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Despatches and Communications with the Imperial Government relative to the Petition of Mr. Jonathan Croft.
5. MR. HODGSON to move, That the Return to the Address respecting Lieutenant Seaver, R.N., laid upon the Table of this House, by the Honorable the Colonial Treasurer, on the 24th instant, be printed.
6. MR. DALLEY to move, That an Address be presented to the Governor General, 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 Executive and Mr. W. R. Riley, relating to his appointment to, and removal from the Commission of the Peace.
  - (2.) Copies of all correspondence that has taken place between the Executive Government, and any person or persons upon the same subject.
  - (3.) Also copy of any Minutes of the Executive Council in reference thereto.
7. MR. DICKSON to move, That the Petition relative to the Maitland Reserves, presented by him on the 31st ultimo, be printed.
8. MR. SCOTT to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates of Expenditure for this year, a sum of £3,236 10s. 6d. to be paid to Mr. John Moore Dillon, the late Criminal Crown Solicitor, in lieu of pension for loss of office.

ORDER OF THE DAY :—

1. Lien on Wool Act Continuation Bill; second reading.

Questions :—

1. MR. CAPE to ask THE COLONIAL TREASURER,—Is it the intention of the Government to propose any addition, for the present year, to the ordinary annual grant of £20,000 for each of the Boards of Public Education?
2. MR. CAPE to ask THE SECRETARY FOR LANDS,—Is the Geological Survey of New South Wales still in progress; if so, when will Sections of the Map be exhibited for the information of the public, at the Office of the Surveyor General?
3. MR. HART to ask THE COLONIAL SECRETARY,—
  - (1.) Whether the Government have given any instructions to Mr. Commissioner Buchanan to remove his head quarters from the Rocky River, in the District of Uralla, to Timbarra; or whether they contemplate making this change?
  - (2.) In the event of Mr. Buchanan's removal, what provision do the Government intend to make for the performance of the duties now imposed upon him under the Gold Fields Management Act at Uralla; and also for the holding of the Courts of Petty Sessions at that place?

4. MR. PIDDINGTON to ask the SECRETARY FOR LANDS,—
  - (1.) Whether the Minister for Public Works, intends to sanction the construction of a Viaduct about 3 miles from Campbelltown, upon timber props, 30 feet high above the ground, the surface of the uprights being only 12 inches square, the said Viaduct being on a curve and on a steep gradient of 1 in 70?
  - (2.) Whether any experiment has been tried in order to test such a Bridge as promised by the late Secretary for Public Works, Mr. Robertson; and if so, whether there will be any objection to state (1) the locality of the trial—and (2) whether the Bridge subjected to experiment was precisely similar to the Campbelltown Bridge in respect to curve, gradient and height above the ground?
5. MR. DICKSON to ask THE SECRETARY FOR LANDS,—
  - (1.) Whether the Government intend offering for sale any portion of the Pasture Reserves of Maitland, as shewn on the Sale plan of 1829?
  - (2.) If a sale is intended, will there be any objection to postpone it till time is given for a Select Committee—should such be granted by this House—to inquire into, and report on the allegations contained in a Petition of the inhabitants of Maitland, presented to this House on the 31st ultimo?
6. MR. GARRETT to ask THE COLONIAL TREASURER,—If it is the intention of the Government to place upon the Supplementary Estimate for the present year, a Sum to make up the difference between the amount now on the Estimates, and that proposed by the late Government for the improvement of the Shoalhaven River?

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TUESDAY, FEBRUARY 7.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. COOPER to move,—That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.
  2. MR. JENKINS to move, That this House having had under consideration the following Petitions, presented on January 24th and 25th, in favor of Universal Education in this Colony, and the retention of the duties on Tea and Sugar, to provide a fund for the carrying out of the same, viz. :—
    1. Petition from certain Female Residents of Sydney.
    2. Petition from the Judges, Professors of the University, Clergymen, Professional Men, Bankers, Merchants, and other Citizens of Sydney.
    3. Petition from Members of Sydney Mechanics' School of Arts,—Resolves—
      - (1.) That it is essential to the political stability and social advancement of this Colony, that the advantages of Primary Education should be universally diffused.
      - (2.) That large means are required to carry out successfully such measures as will secure Universal Education in this Colony.
      - (3.) That so soon as the exigencies of the Government will permit, the duties upon Tea and Sugar ought to cease to form a portion of the Consolidated Revenue Fund.
      - (4.) That the duties upon Tea and Sugar ought to be applied to the creation and maintenance of a Fund for the promotion of Public Education.
      - (5.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.
  3. MR. HART to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
    - (1.) Copies of all Correspondence between the Government and any person or persons, and also any other Papers and Minutes of the Executive, relative to the change of Escort from the Timbarra Gold Fields.
    - (2.) Copies of any Correspondence and Minutes of the Executive Government, relative to the removal of Mr. Commissioner Buchanan from the Rocky River to Timbarra.
  4. MR. DARVALL to move for leave to bring in a Bill to amend the law regulating Public Ferries.
  5. MR. DICKSON to move, That an Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing,—
    - (1.) The way in which all sums of money voted by this House under the head of Allowances, Contingencies, Incidental Expenses, Special and Miscellaneous Services, since the introduction of Responsible Government, has been expended.
    - (2.) That such Return shall shew in detail, the manner in which each vote under the above heads has been expended.
    - (3.) Where the expenditure has been more or less than the sum voted, how the balance has been appropriated or provided.
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WEDNESDAY,

WEDNESDAY, FEBRUARY 8.

*Contingent Notice of Motion :—*

1. DR. LANG to move (*on the proposal of the Honorable the Colonial Secretary to move the second reading of the Elective Legislative Council Bill*),—That, in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony.

GOVERNMENT BUSINESS—ORDER OF THE DAY.

1. Elective Legislative Council Bill; second reading.
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FRIDAY, FEBRUARY 10.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. CAPE to move, That there be laid upon the Table of this House, a copy of any Correspondence between the Board of National Education and the Government, on the subject of an addition to the Funds required for the purposes of National Education for the year 1860.
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TUESDAY, FEBRUARY 14.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Revenue and Audit Bill; second reading.

T. A. MURRAY,  
*Speaker.*

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No. 53.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 1 FEBRUARY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Presentation of Speaker:—On motion of Mr. Forster, the House proceeded to Government House, to present their Speaker to His Excellency the Governor General;—  
And the House having returned; the Speaker reported that the Assembly had been to Government House, and that he had there acquainted the Governor General, that on Sir Daniel Cooper's resignation, yesterday, of the office of Speaker, the House had, in the exercise of their undoubted right, proceeded forthwith to elect one of their Members to fill the Vacancy thereby created; and that he then presented himself to His Excellency, as the Speaker duly chosen by the Assembly; whereupon His Excellency had been pleased to offer him his congratulations on the high honor and dignity conferred upon him by the House.  
The House then adjourned till Three o'clock.

The House having resumed,—

2. Question of Privilege:—The following Message from His Excellency the Governor General received and read:—

W. DENISON,

*Message No. 20.*

*Governor General.*

In reply to the Address communicating certain Resolutions adopted by the Legislative Assembly, on the subject of the appointment of the Clerks and other Officers of that House,—

The Governor General having every desire to comply with the wishes of the Assembly, will direct, that for the future, the Speaker shall be consulted with regard to the appointment of all the Officers of that House.

*Government House,*

*1st February, 1860.*

3. State Aid to Religion:—Mr. Hyeronimus presented a Petition from certain Residents, Landholders, and Leaseholders of the Police District of Wellington, against the abolition of State Aid to Religion.  
Petition received.
4. Vote of Thanks to the late Speaker, Sir Daniel Cooper:—Mr. Jones moved (pursuant to *Special notice*) That the Thanks of this House be conveyed to Sir Daniel Cooper, Knight, for his valuable services during the period for which he has held the Office of Speaker; and that he be assured that his conscientious and efficient discharge of his Duties during several long and most exhausting Sessions, his jealous maintenance of the Rights of this House, and his uniform Impartiality and Urbanity while in the Chair, have secured for him the Esteem and Gratitude of every Member of this House.  
Which motion was seconded by Mr. Hay.  
Question put and passed.
5. Mr. Isaac Nichols:—Mr. Parkes presented a Petition from Mr. Isaac Nichols, of Sydney, representing that he suffers hardship in a matter of protracted litigation in the Supreme Court, between himself and the London and Liverpool Insurance Company; and praying that measures may be adopted for enabling their Honors the Judges of that Court to put a stop to frivolous appeals.  
Petition received.
6. Supply:—On motion of Mr. Samuel the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the supply to be granted to Her Majesty for the Service of the year 1859-60.

The

The Chairman reported that certain words of Heat, used in the Committee by the Honorable Member for The Paterson, had been excepted to, as follows:—

(1.) "The Honorable Member for Camden," (referring to Mr. Oxley,) "is a nominee of the Messrs. Macarthur."

(2.) "I do not intend to argue the question further,—I shall not appeal from a political opponent to a political partizan."

(3.) "I did characterize that Honorable Member," (referring to Mr. Oxley,) "as a nominee of the Messrs. Macarthur, and I probably shall repeat that he is a nominee of the Messrs. Macarthur."

And the House desiring that the sections of this Report should be considered *seriatim*,—

Section (1.) The Speaker ruling in this case, by the desire of the House, gave it as his opinion that the words reported were disorderly,—

Whereupon Mr. Arnold withdrew the words, and Mr. Oxley expressed himself satisfied with such withdrawal.

Section (2.) Mr. Plunkett moved, That these words are highly disorderly, unparliamentary, and offensive to this House, as applied to the Chairman of Committees.

Mr. Arnold having been heard in his place, and having withdrawn,—

Debate ensued.

Motion by leave withdrawn, in order to the matter being left in the hands of the Speaker,—

Whereupon Mr. Arnold being recalled—and the Speaker declaring that in his opinion the words were unparliamentary—the Honorable Member withdrew the words.

The matter then dropped.

7. Messages:—The Speaker reported that, while the House was in Committee of Supply, the following Messages were received from the Legislative Council:—

(1.) Freight and Charges Bill:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled, "*An Act to enable Owners and Masters of Ships in certain cases to recover payment of certain charges incurred in reference to goods and merchandise on which they have a lien,*" presents the same to the Legislative Assembly for its concurrence.

Legislative Council Chamber,

Sydney, 1st February, 1860.

W. W. BURTON,

President.

(2.) Newcastle Wallsend Coal Company's Bill:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to incorporate the Newcastle Wallsend Coal Company,*" returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,

Sydney, 1st February, 1860.

W. W. BURTON,

President.

8. On motion of Mr. Samuel, the Speaker then left the Chair, and the Committee of Supply resumed.

The Chairman obtained leave to sit again to-morrow, and reported the following Resolutions:—

#### *Additional Supplementary Estimate for 1859.*

#### I.—SCHEDULES.

(35.) Resolved, that there be granted to Her Majesty, as a supplementary charge for the year 1859, a sum not exceeding £233 7s. 10d., to meet necessary additional expenditure under Schedule (B) to Schedule (1) of the Act of the Imperial Parliament, 18 and 19 Vict., cap. 54, being for Pensions, according to the Scale and Rates fixed by the Imperial Superannuation Act, 4 & 5 Gul. IV., Cap. 24, that is to say, £192 4s. 1d. to Colonel Barney, late Surveyor General, at £500 per annum, from 18 August; and £41 3s. 9d. to William Flinn, late Turnkey, Bathurst Gaol, from 1st January.

#### IV.—ADMINISTRATION OF JUSTICE.

(36.) Resolved, that there be granted to Her Majesty a sum not exceeding £147 5s. 6d., to defray the supplementary charge of the Law Officers' Establishment for the year 1859, being £100 law expenses in the case of *Robertson v. Dumaresq*; and £47 5s. 6d. Bailiff's expenses in executing a writ "*Habere facias*" in the case of the Attorney General *v.* Hardy.

(37.) Resolved, that there be granted to Her Majesty a sum not exceeding £500, to defray the supplementary charge of Supreme and Circuit Courts for the year 1859.

#### V.—TREASURER AND SECRETARY FOR FINANCE AND TRADE.

(38.) Resolved, that there be granted to Her Majesty a sum not exceeding £137 12s. 2d., to defray the supplementary charge of the Post Office Establishment for the year 1859.

(39.) Resolved, that there be granted to Her Majesty, as a supplementary charge for the year 1859, a sum not exceeding £110, for Provisions for the Crew of the Schooner "Satellite."

#### VI.



## VI.—SECRETARY FOR LANDS.

(40.) Resolved, that there be granted to Her Majesty a sum not exceeding £180, to defray the supplementary charge of the management of Alpacas for the year 1859, being for the purchase of a dray and horses for Mr. Ledger's journey to the Maneroo District with the flock of Alpacas.

(41.) Resolved, that there be granted to Her Majesty, as a supplementary charge for the year 1859, for the Department of Survey of Lands, a sum not exceeding £25, to meet deficiency in salary, for 1859, of J. Thompson, Esq., late Deputy Surveyor General.

## VII.—SECRETARY FOR PUBLIC WORKS.

(42.) Resolved, that there be granted to Her Majesty, as a supplementary charge for the year 1859, a sum not exceeding £429 3s. 4d., to defray expenses of the Department of Public Works, being £379 3s. 4d., for the Salary of the Secretary for Public Works, from 30th September; at £1,500; and £50. for the preparation of Parliamentary Papers.

(43.) Resolved, that there be granted to Her Majesty a sum not exceeding £7,500, to defray the supplementary charge of the Railway Department, for the year 1859, being compensation to Mrs. Want, for loss sustained by Railway Accident.

(44.) Resolved, that there be granted to Her Majesty a sum not exceeding £3,275, to defray the supplementary charge of Works and Buildings, for the year 1859, being, £300 for Bridge, Russell-street, Bathurst, an equal amount having been contributed by the Inhabitants; a further sum of £2,063 for Defences of Port Jackson; £662 to provide accommodation for Pilots at Newcastle; and £250 for the completion of the Bridge over the Peel, at Tamworth.

## TO BE PROVIDED BY LOAN.

(45.) Resolved, that there be granted to Her Majesty, as a further supplementary charge for Public Works, for the year 1859, a sum not exceeding £20,279, for the construction of a Bridge to connect the Abattoirs, Glebe Island, with the main land.

(46.) *Vote of Credit.* Resolved, that there be appropriated a sum not exceeding £78,000 to defray the expenses of the various Departments and Services of the Colony for the month of February, 1860, at the rates sanctioned for the past year; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Works and Buildings during the same month.

Mr. Samuel then moved, That this House do now adopt these Résolutions.

Question put and passed.

The House adjourned, on motion of Mr. Forster, at one minute before Twelve o'clock, until to-morrow; at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, FEBRUARY 2.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Supply; Resumption of the Committee.
2. Ways and Means; Resumption of the Committee.
3. Loan Bill for 1860; third reading.
4. Telegraphic Communication with United Kingdom; further consideration in Committee of Address for Subsidy towards.
5. Seamen's Engagement Amendment Bill; second reading.
6. Harbor, Pilotage, and Navigation Bill; second reading.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PARKES to move, That the undermentioned Documents be referred for consideration to the Select Committee now sitting on the Condition of the Working Classes of this Metropolis,—
  - (1.) The Report and Evidence of the Select Committee appointed by the Legislative Council of 1854, on the motion of Mr. Parkes, to consider the subject of establishing a Nautical School in the Port of Sydney.
  - (2.) The Report and Evidence of the Select Committee appointed by the same body in the same year, on the motion of Mr. Martin, to take Evidence respecting Destitute Children.
  - (3.) The Report and Evidence of the Select Committees appointed by the same body, in 1854 and in 1855, on the motion of Mr. Cowper, to inquire into and report upon the Increase of Intemperance.
2. DR. LANG to move; That the Petition of certain Presbyterian Ministers, on the subject of the St. Andrew's College Bill, be referred to the Select Committee now sitting on the Presbyterian College.
3. MR. DALLEY to move for leave to bring in a Bill to amend the Hawkesbury Benevolent Society's Act of Incorporation.
4. MR. OXLEY to move; That the Petition relative to Special Roman Catholic Education, presented by him on the 31st ultimo, be printed.

5. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Correspondence which has taken place between the Government and Captain Cheval, Tabulum, Edward Ogilvie, and Robertson Brothers, Clarence River, with respect to the application of these parties to purchase extensive tracts of land, under the "pre-emptive right," in that locality.
6. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Correspondence which has taken place between the Government and the Returning Officer for the Electorate of New England, with respect to the appointment of additional Polling Places at Gostwyck, Tia, Toryburn, Ollera, and Rockvale, in that Electorate.
7. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of acres of land which have been alienated under the "pre-emptive right" since the inauguration of Responsible Government; specifying the quantity purchased by each individual; the locality in which such land was situated; the amount paid for each lot; and the names of the purchasers.
8. MR. MORT to move, That the Petition of certain Citizens of Sydney, relative to the enforcement of the Act for the removal of Slaughter-houses, and other Nuisances, from the precincts of the City, presented by him on the 24th instant, be printed.
9. MR. WILSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of all Correspondence held with the Government, concerning the establishment of an experimental Quartz Crushing Machine at the Royal Mint.
10. MR. HOSKINS to move, That this House will, on Thursday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year the sum of £3,000, as a Reward Fund for the discovery of new "Gold Fields."
11. MR. PARKES to move, That, in the opinion of this House, an amendment of the Law regulating the Sale and Occupation of the Crown Lands is called for by the public interest, and ought not to be delayed beyond the present Session of Parliament.
12. MR. DARVALL to move, That the Petition of the Churchwardens of St. Andrew's, presented by him on the 25th instant, be printed.
13. MR. WEEKES to move, That, in the opinion of this House, from the large number of Magistrates resident in the District of Sydney, and their regular attendance at the Central Police Office, there is no necessity at the present time to put the country to the expense of an additional paid Police Magistrate for this City.
14. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All Correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All Correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner, or the occupants of Tala or Moolpa Run.
  - (3.) The Minutes of any Proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A Tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim, with its area.
15. MR. MARTIN to move the following Resolutions:—
  - (1.) That it is the opinion of this House, that Her Majesty cannot legally detach from this Colony any territory between the 26th and 30th degrees of south latitude, except upon the petition of the inhabitant householders thereof, and that no number short of a majority can be fairly said to represent the whole of such householders.
  - (2.) That this House is further of opinion that no portion of this Colony should have been separated from it and erected into a new Colony, unless, concurrently with such separation, provision were made for the due apportionment of the Public Debt.
  - (3.) That, inasmuch as it has never been made to appear in any way that a majority of the householders of that part of this Colony lying between the 26th and 30th degrees of south latitude petitioned for a separation, and as no provision whatever has been made for a due apportionment of the Public Debt, this House disapproves of the steps taken by Her Majesty's Ministers in this Colony in reference to the publication of the Letters Patent by which such separation has been announced.
16. MR. GRAY to move, That the Petition of Thomas George Rusden, Esquire, presented by him on the 22nd ultimo, be printed.
17. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Postmaster General and the Inhabitants of Gundaroo, relative to the site of the Post Office in that District.
18. MR. WISDOM to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions in the case of Charles Skerrett, who was recently committed for cattle stealing by the Bench of Magistrates at Wingham; also, Copies of the Depositions taken in the case of the same person, committed by the same Bench for unlawfully presenting firearms.

19. MR. DALLEY to move, That there be laid upon the Table of this House Copies of all Correspondence between Mr. Andrew Lenehan and the Government, with reference to a claim of Mr. Lenehan's for works performed at Government House.
20. MR. GORDON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence, including Petitions, &c., addressed to the Government, or from the Government to any person or persons, on the subject of Dungog being proclaimed a place where a District Court should be held in the Northern District.
21. MR. WATT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions taken at the Police Office, Carcoar, in the month of November last, in the case of the Queen v. James Clarke, charged with petty larceny; also Copies of the Depositions taken on the same day in a charge against the same man under the Vagrant Act, when he was sentenced to two years' imprisonment.
22. MR. PIDDINGTON to move, That there be laid upon the Table of this House, a Return shewing the Balances in the Treasury on the 31st day of December, 1859, distinguishing the various Balances at the credit of the Public Revenue Accounts and Reserves under Special Appropriations; also, of the various Lodgment Accounts, the distribution of the Balances, and the rate of interest receivable by the Government for any Cash Balance.
23. MR. PIDDINGTON to move, That there be laid upon the Table of this House, a Return of all Debentures issued by the Government of New South Wales, specifying:—
  - (1.) The services for which the said Debentures have been issued.
  - (2.) The particular amounts for various services expended.
  - (3.) The several due dates of such Debentures.
  - (4.) The amount in one sum which may fall due in each year until the whole amount now in issue shall be due.
  - (5.) The amount of any balance at the credit of the Government on account of the Loan Fund.
  - (6.) The annual amount of interest now payable upon the entire debt of the Colony.
24. DR. WILSON to move, That the Petition from the Adelong Gold Fields, presented by him on the 27th instant, be printed.
25. MR. WEEKES to move, That the Petition of J. S. Macfarlane, presented by him on the 27th instant, be printed.
26. MR. ROBERTSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
  - (1.) A copy of the Report of the Acting Surveyor General, of the 15th August, 1858, to the Secretary for Lands and Public Works, on the subject of the East Maitland Land Reserves.
  - (2.) All Documents referred to in such Report.
  - (3.) The Cabinet Minute of the Secretary for Lands and Public Works, of the 7th May, 1859, and the Executive Council Minute approved by His Excellency the Governor General, on the 20th of the same month, in each case, relating to the same matter.
27. MR. WEEKES to move,—
  - (1.) That the Sydney Insurance Company's Act Amendment Bill be referred for the consideration and report of a Select Committee.
  - (2.) That such Committee consist of the following Members:—Mr. Atkinson, Mr. Close, Mr. Cooper, Mr. Dickson, Mr. Gray, Mr. Hawkins, Mr. Lyons, Mr. Nott, and Mr. Rotton.
28. MR. HAMILTON to move, That the Petition from Bombala—Maneroo, relative to State Aid to Religion, presented by him on the 27th instant, be printed.

ORDERS OF THE DAY:—

1. Parramatta Water Protection Bill; second reading.
2. Maitland Gas Lighting Bill; third reading.
3. Tolls Amendment Act Repeal Bill; third reading.
4. Duration of Legislative Assemblies Limitation Bill; third reading.
5. Newcastle Wallsend Coal Company's Railway Bill; to be further considered in Committee.
6. Capital Punishments Abolition Bill; second reading.
7. Law of Primogeniture Abolition Bill; second reading.
8. Resumption of the adjourned Debate on Dr. Lang's motion,—
  - "(1.) That a Select Committee be appointed to take into consideration, and to report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
  - "(2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
9. Tanners' and Curriers' Bill; second reading.
10. Wesley College Bill; second reading.
11. Crown Lands Sales Bill; second reading.
12. Crown Lands Occupation Bill; second reading.
13. Importation of Cattle Regulation Bill; second reading.
14. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."

Questions:—

## Questions :—

1. MR. COOPER to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to appoint a Police Magistrate at Braidwood?
2. MR. WILSON to ask THE SECRETARY FOR LANDS,—What steps, if any, the Government have taken to afford protection to the Miners at the newly discovered Gold Field at Gibson's Plain?
3. MR. ASHER to ask THE COLONIAL SECRETARY,—Whether there is any truth in the report that the Government intend to exclude from the new Commission of Justices of the Peace the names of all gentlemen who happen to be Members of the Legislative Council or Legislative Assembly?

FRIDAY, FEBRUARY 3.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. MR. CUMMINGS to move, That the Select Committee on the "*Condition of the Buthurst Road*" have leave to inquire also into the management and construction of the Road.
3. DR. LANG to move, That the Petition of the Hon. Alexander Berry, Esq., ordered by this House to be printed on Friday, 23rd September last, be now taken into consideration.
4. MR. DALLEY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Despatches and Communications with the Imperial Government relative to the Petition of Mr. Jonathan Croft.
5. MR. HODGSON to move, That the Return to the Address respecting Lieutenant Seaver, R.N., laid upon the Table of this House by the Honorable the Colonial Treasurer, on the 24th instant, be printed.
6. MR. DALLEY to move, That an Address be presented to the Governor General, 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 Executive and Mr. W. R. Riley, relating to his appointment to, and removal from the Commission of the Peace.  
(2.) Copies of all Correspondence that has taken place between the Executive Government and any person or persons upon the same subject.  
(3.) Also, Copy of any Minutes of the Executive Council in reference thereto.
7. MR. DICKSON to move, That the Petition relative to the Maitland Reserves, presented by him on the 31st ultimo, be printed.
8. MR. SCOTT to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates of Expenditure for this year; a sum of £8,286 10s 6d, to be paid to Mr. John Moore Dillon, the late Criminal Crown Solicitor, in lieu of pension for loss of office.
9. MR. RYERONIMUS to move, That the Petition from Wellington relative to State Aid to Religion; presented by him on the 1st instant, be printed.

## ORDERS OF THE DAY :—

1. Lien on Wool Act Continuation Bill; second reading.

## Questions :—

1. MR. CAPE to ask THE COLONIAL TREASURER,—Is it the intention of the Government to propose any addition, for the present year, to the ordinary annual grant of £20,000 for each of the Boards of Public Education?
2. MR. CAPE to ask THE SECRETARY FOR LANDS,—Is the Geological Survey of New South Wales still in progress; if so, when will Sections of the Map be exhibited for the information of the public at the Office of the Surveyor General?
3. MR. HART to ask THE COLONIAL SECRETARY;—  
(1.) Whether the Government have given any instructions to Mr. Commissioner Buchanan to remove his head quarters from the Rocky River, in the District of Uralla, to Timbarra; or whether they contemplate making this change?  
(2.) In the event of Mr. Buchanan's removal, what provision do the Government intend to make for the performance of the duties now imposed upon him, under the Gold Fields Management Act; at Uralla; and also for the holding of the Courts of Petty Sessions at that place?
4. MR. LIDDINGTON to ask THE SECRETARY FOR LANDS;—  
(1.) Whether the Minister for Public Works intends to sanction the construction of a Viaduct about 3 miles from Campbelltown, upon timber props, 30 feet high above the ground, the surface of the uprights being only 12 inches square, the said Viaduct being on a curve and on a steep gradient of 1 in 70?  
(2.) Whether any experiment has been tried in order to test such a Bridge as promised by the late Secretary for Public Works, Mr. Robertson; and if so, whether there will be any objection to state (1) the locality of the trial; and (2) whether the Bridge subjected to experiment was precisely similar to the Campbelltown Bridge in respect to curve, gradient, and height above the ground?

5. MR. DICKSON *to ask* THE SECRETARY FOR LANDS,—  
 (1.) Whether the Government intend offering for sale any portion of the Pasture Reserves of Maitland, as shewn on the Sale plan of 1829?  
 (2.) If a sale is intended, will there be any objection to postpone it till time is given for a Select Committee—should such be granted by this House—to inquire into, and report on the allegations contained in a Petition of the inhabitants of Maitland, presented to this House on the 31st ultimo?
6. MR. GARRETT *to ask* THE COLONIAL TREASURER,—If it is the intention of the Government to place upon the Supplementary Estimate for the present year a sum to make up the difference between the amount now on the Estimates and that proposed by the late Government for the improvement of the Shoalhaven River?

TUESDAY, FEBRUARY 7.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.
2. MR. JENKINS to move, That this House having had under consideration the following Petitions, presented on January 24th and 25th, in favor of Universal Education in this Colony, and the retention of the duties on Tea and Sugar, to provide a fund for the carrying out of the same, viz:—
  1. Petition from certain Female Residents of Sydney.
  2. Petition from the Judges, Professors of the University, Clergymen, Professional Men, Bankers, Merchants, and other Citizens of Sydney.
  3. Petition from Members of Sydney Mechanics' School of Arts,—Resolves—
    - (1.) That it is essential to the political stability and social advancement of this Colony that the advantages of Primary Education should be universally diffused.
    - (2.) That large means are required to carry out successfully such measures as will secure Universal Education in this Colony.
    - (3.) That so soon as the exigencies of the Government will permit, the duties upon Tea and Sugar ought to cease to form a portion of the Consolidated Revenue Fund.
    - (4.) That the duties upon Tea and Sugar ought to be applied to the creation and maintenance of a Fund for the promotion of Public Education.
    - (5.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.
3. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) Copies of all Correspondence between the Government and any person or persons, and also any other Papers and Minutes of the Executive, relative to the change of Escort from the Timbarra Gold Fields.
  - (2.) Copies of any Correspondence and Minutes of the Executive Government relative to the removal of Mr. Commissioner Buchanan from the Rocky River to Timbarra.
4. MR. DARVALL to move for leave to bring in a Bill to amend the law regulating Public Ferries.
5. MR. DICKSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing,—
  - (1.) The way in which all sums of money voted by this House under the head of Allowances, Contingencies, Incidental Expenses, Special and Miscellaneous Services, since the introduction of Responsible Government, have been expended.
  - (2.) That such Return shall shew, in detail, the manner in which each vote under the above heads has been expended.
  - (3.) Where the expenditure has been more or less than the sum voted, how the balance has been appropriated or provided.

WEDNESDAY, FEBRUARY 8.

Contingent Notice of Motion:—

1. DR. LANG to move (*on the proposal of the Honorable the Colonial Secretary to move the second reading of the Elective Legislative Council Bill*);—That, in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Elective Legislative Council Bill; second reading.

FRIDAY, FEBRUARY 10.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. CAPE to move, That there be laid upon the Table of this House, a copy of any Correspondence between the Board of National Education and the Government, on the subject of an addition to the Funds required for the purposes of National Education for the year 1860.

TUESDAY, FEBRUARY 14.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Revenue and Audit Bill; second reading.

T. A. MURRAY,  
Speaker.



No. 54.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

THURSDAY, 2 FEBRUARY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Papers:—Mr. Forster laid upon the Table the following Papers:—  
(1.) Scales of Electric Telegraph Charges, approved by the Governor General and Executive Council.  
(2.) The Return to the Address in reference to Money Grants for Improvement of the Shoalhaven River, adopted, on motion of Mr. Garrett, on the 7th October last.  
Ordered to be printed.
2. Freight and Charges Bill:—On motion of Mr. Dalley read a first time; ordered to be printed, and read a second time on Tuesday next.
3. St. Andrew's College Bill:—The Revd. Dr. Lang presented a Petition from certain Presbyterians of the various Branches of the Presbyterian Church in the City of Sydney, objecting, on various grounds, to the St. Andrew's College Bill, and praying that this House will not consent to the passing of any Bill for the establishment of a Presbyterian College which shall be open to any of these objections.  
Petition received.
4. Seizure of Opium per "Kate Hooper":—Mr. Hay presented a Petition from Lei Long, Lei Ting, A Son, and A Pou, Merchants, trading in Melbourne, in the Colony of Victoria, under the Style or Firm of Tong Sang, praying relief under the circumstances attending the seizure, by the Customs Authorities at Sydney, of certain Opium on board the "Kate Hooper," stated to have been consigned to Melbourne.  
Petition received.
5. Postponements:—  
(1.) The Resumption of the Committee of Supply postponed, on motion of Mr. Samuel, until after the Order of the Day No. 4 of Government Business shall have been disposed of.  
(2.) The Resumption of the Committee of Ways and Means postponed, on motion of Mr. Samuel, until Wednesday next.
6. Loan Bill for 1860, on motion of Mr. Samuel, read a third time, and *passed*.  
Mr. Samuel then moved, That the Title of this Bill be, "*An Act to enable the Government to raise a certain Loan to meet Debentures falling due in 1860.*"  
Question put and passed.  
Whereupon Mr. Samuel moved, That this Bill be carried to the Legislative Council, with the following Message:—  
MR. PRESIDENT,  
The Legislative Assembly having this day passed a Bill, intituled, "*An Act to enable the Government to raise a certain Loan to meet Debentures falling due in 1860,*" presents the same to the Legislative Council for its concurrence.  
*Legislative Assembly Chamber,*  
*Sydney, 2 February, 1860.* Speaker.
- Question put and passed.
7. Telegraphic Communication with the United Kingdom:—On the Order of the Day being read, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider of an Address to His Excellency the Governor General, with reference to a Subsidy towards Telegraphic Communication with the United Kingdom.  
The Chairman reported that the following Resolution had been agreed to in the Committee:—  
Resolved, That an Address be presented to His Excellency the Governor General, embodying the following Resolutions:—  
1. That this House is of opinion that the Government of this Colony should be authorised to grant a subsidy not exceeding £9,625 per annum, for a term not exceeding

exceeding twenty-one years, to any Company, of the stability of which satisfactory assurance shall be given, to induce such Company to construct and maintain a Telegraphic Line, from this Colony to East Java, upon the following conditions, that is to say:—

- (1.) That the Government of Victoria shall make arrangements with such Company, by subsidy or otherwise, for the residue, over and above the annual subsidy of this Colony, necessary for the carrying out of the work.
- (2.) That the period within which the first call of the subscribed capital of the Company shall be made, shall be limited to twelve calendar months from the date of the concurrence of the Colony of Victoria in the preceding condition.
- (3.) That the whole work shall be completed and in effective operation within three years from the present date; subject however, to such extension of the time, to meet possible contingencies, as may hereafter be agreed upon.
- (4.) That the proposed subsidy shall be proportionally payable on the capital of the Company as paid up.
- (5.) That the payment of the said subsidy shall be conditional on the maintenance of the Line in effective working order, and that no payment shall be made until the Line is completed.
- (6.) That no tariff of charges shall be established without the concurrence of this Colony.
- (7.) That in the event of the net profits of the Company exceeding in any year the rate of ten per cent. per annum, such excess shall be rateably applied to reduce the respective contributions of this Colony and of Victoria.

2. That steps be taken without delay to communicate with, and settle the proportionate contributions of the other Colonies in aid of the respective contributions of New South Wales and Victoria.

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

Mr. Forster moved, That the House do now adopt this Resolution.

Debate ensued.

Question put.

The House divided.

#### Ayes, 23.

Mr. Black,	Mr. Laycock,	
Mr. Samuel,	Mr. Hurley,	
Mr. Piddington,	Mr. Parkes,	
Mr. Clements,	Mr. Hay,	
Mr. Watt,	Mr. Macleay,	
Mr. Wild,	Mr. Plunkett,	
Mr. Hart,	Mr. Robertson,	
Mr. Hamilton,	Rev. Dr. Lang,	
Mr. Hoskins,	Mr. Nott,	
Mr. Wilson,	Mr. Forster,	
Mr. Hyeronimus,	Mr. Morris,	} Tellers.
Mr. Garrett,		

#### Noes, 5.

Mr. Cooper,	
Mr. G. Lang,	
Mr. Wisdom,	
Mr. Gordon,	} Tellers.
Mr. Atkinson,	

#### 8. Postponements, by Mr. Samuel:—

- (1.) The Resumption of the Committee of Supply, until Wednesday next.
- (2.) The second reading of the Seamen's Engagement Amendment Bill, until Wednesday next.
- (3.) The second reading of the Harbor Pilotage and Navigation Bill, until Thursday next.

#### 9. Condition of the Working Classes:—Mr. Parkes moved, pursuant to notice, That the undermentioned Documents be referred for consideration to the Select Committee now sitting on the Condition of the Working Classes of this Metropolis,—

- (1.) The Report and Evidence of the Select Committee appointed by the Legislative Council of 1854, on the motion of Mr. Parkes, to consider the subject of establishing a Nautical School in the Port of Sydney.
- (2.) The Report and Evidence of the Select Committee appointed by the same body in the same year, on the motion of Mr. Martin, to take Evidence respecting Destitute Children.
- (3.) The Report and Evidence of the Select Committees appointed by the same body in 1854 and in 1855, on the motion of Mr. Cowper, to inquire into and report upon the Increase of Intemperance.

Question put and passed.

#### 10. St. Andrew's College Bill:—The Revd. Dr. Lang moved, pursuant to notice, That the Petition of certain Presbyterian Ministers, on the subject of the St. Andrew's College Bill, be referred to the Select Committee now sitting on the Presbyterian College.

Question put and passed.

#### 11. Postponement:—Mr. Gray postponed the motion standing in the name of Mr. Dalley, No. 3 on the Notice Paper for to-day, until Tuesday next.

#### 12. Special Roman Catholic Education:—Mr. Parkes moved, pursuant to notice standing in the name of Mr. Oxley, That the Petition relative to Special Roman Catholic Education, presented by him on the 31st ultimo, be printed.

Question put and passed.

Ordered to be printed.



## 13. Postponements:—

(1.) Mr. Hoskins postponed the motions standing in his name Nos. 5, 6, and 7 on the Notice Paper for to-day, until Tuesday next.

(2.) Mr. Parkes postponed the motion standing in the name of Mr. Mott No. 8 on the Notice Paper for to-day, until to-morrow.

## 14. Experimental Quartz Crushing Machine:—Mr. Wilson moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of all Correspondence held with the Government, concerning the establishment of an experimental Quartz Crushing Machine at the Royal Mint.

Debate ensued.

Question put and passed.

## 15. Postponement:—Mr. Hoskins postponed the motion standing in his name No. 10 on the Notice Paper for to-day, until Tuesday next.

## 16. Motion withdrawn:—Mr. Parkes withdrew the motion standing in his name No. 11 on the Notice Paper for to-day.

## 17. Postponements:—

(1.) Mr. Parkes postponed the motion standing in the name of Mr. Darvall No. 12 on the Notice Paper for to-day, until to-morrow.

(2.) Mr. Parkes postponed the motion standing in the name of Mr. Weekes No. 13 on the Notice Paper for to-day, until Tuesday next.

## 18. Motions dropped:—

(1.) The motion, standing in the name of Mr. Murray No. 14 on the Notice Paper for to-day, not being moved, dropped.

(2.) Mr. Martin not moving the motion standing in his name No. 15 on the Notice Paper for to-day, it dropped.

## 19. Thomas George Rusden, Esq.:—Mr. Gray moved, pursuant to notice, That the Petition of Thomas George Rusden, Esquire, presented by him on the 22nd December last, be printed.

Question put and passed.

Ordered to be printed.

## 20. Motion dropped:—The motion, standing in the name of Mr. Murray, No. 17 on the Notice Paper for to-day, not being moved, dropped.

## 21. Postponements:—

(1.) Mr. Parkes postponed the motion standing in the name of Mr. Wisdom, No. 18 on the Notice Paper for to-day, until Tuesday next.

(2.) Mr. Gray postponed the motion standing in the name of Mr. Dalley, No. 19 on the Notice Paper for to-day, until to-morrow.

(3.) Mr. Gordon postponed the motion standing in his name No. 20 on the Notice Paper for to-day, until to-morrow.

## 22. The Queen v. Clarke:—Mr. Watt moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions taken at the Police Office, Carcoar, in the month of November last, in the case of the Queen v. James Clarke, charged with petty larceny; also Copies of the Depositions taken on the same day in a charge against the same man under the Vagrant Act, when he was sentenced to two years' imprisonment.

Question put and passed.

## 23. Treasury Balances:—Mr. Piddington moved, pursuant to notice, That there be laid upon the Table of this House, a Return shewing the Balances in the Treasury on the 31st day of December, 1859, distinguishing the various Balances at the credit of the Public Revenue Accounts and Reserves under Special Appropriations, also of the various Lodgment Accounts, the distribution of the Balances, and the rate of interest receivable by the Government for any Cash Balance.

Question put and passed.

## 24. Debentures:—Mr. Piddington moved, pursuant to notice, That there be laid upon the Table of this House, a Return of all Debentures issued by the Government of New South Wales, specifying:—

(1.) The services for which the said Debentures have been issued.

(2.) The particular amounts for various services expended.

(3.) The several due dates of such Debentures.

(4.) The amount in one sum which may fall due in each year until the whole amount now in issue shall be due.

(5.) The amount of any balance at the credit of the Government on account of the Loan Fund.

(6.) The annual amount of interest now payable upon the entire debt of the Colony.

Question put and passed.

## 25. Alleged Interference with Quartz Crushing Enterprise:—Dr. Wilson moved, pursuant to notice, That the Petition from the Adelong Gold Fields, presented by him on the 27th ultimo, be printed.

Question put and passed.

Ordered to be printed.

## 26. Macfarlane v. Murnin:—Mr. Parkes moved, pursuant to notice standing in the name of Mr. Weekes, That the Petition of J. S. Macfarlane, presented by him on the 27th ultimo, be printed.

Question put and passed.

Ordered to be printed.

27. East Maitland Land Reserves:—Mr. Robertson moved, pursuant to notice, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—  
 (1.) A Copy of the Report of the Acting Surveyor General, of the 15th August, 1858, to the Secretary for Lands and Public Works, on the subject of the East Maitland Land Reserves.  
 (2.) All Documents referred to in such Report.  
 (3.) The Cabinet Minute of the Secretary for Lands and Public Works, of the 7th May, 1859, and the Executive Council Minute approved by His Excellency the Governor General, on the 20th of the same month, in each case, relating to the same matter.  
 Question put and passed.
28. Mr. Parkes postponed the motion standing in the name of Mr. Weekes, No. 27 on the Notice Paper for to-day, until to-morrow.
29. State Aid to Religion:—Mr. Hamilton moved, pursuant to notice, That the Petition from Bombala—Monaroo, relative to State Aid to Religion, presented by him on the 27th ultimo, be printed.  
 Question put and passed.  
 Ordered to be printed.
30. Postponements:—  
 (1.) The second reading of the Parramatta Water Protection Bill postponed, on motion of Mr. Parkes, until Tuesday next.  
 (2.) The third reading of the Maitland Gas Lighting Bill postponed, on motion of Mr. Samuel until to-morrow.
31. Tolls Amendment Act Repeal Bill, on motion of Mr. Robertson, read a third time, and passed.  
 Mr. Robertson then moved, That the Title of this Bill be "*An Act to repeal so much of the 'Tolls Amendment Act 1857' as relates to Broad Wheels.*"  
 Question put and passed.  
 Whereupon Mr. Robertson moved, That this Bill be carried to the Legislative Council with the following Message:—  
 MR. PRESIDENT,  
 The Legislative Assembly having this day passed a Bill, intituled, "*An Act to repeal so much of the 'Tolls Amendment Act 1857' as relates to Broad Wheels,*" presents the same to the Legislative Council for its concurrence.  
 Speaker.
- Legislative Assembly Chamber,  
 Sydney, 2 February, 1860.*
- Question put and passed.  
 Notice being taken that there was not a Quorum present, the House was counted; and there being only eighteen Members present exclusive of the Speaker,—the Speaker adjourned the House at eight minutes before Twelve o'clock, until to-morrow at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, FEBRUARY 3.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. MR. CUMMINGS to move, That the Select Committee on the "*Condition of the Bathurst Road,*" have leave to inquire also into the management and construction of the Road.
3. DR. LANG to move, That the Petition of the Hon. Alexander Berry, Esq., ordered by this House to be printed on Friday, 23rd September last, be now taken into consideration.
4. MR. DALLEY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Despatches and Communications with the Imperial Government relative to the Petition of Mr. Jonathan Croft.
5. MR. HODGSON to move, That the Return to the Address respecting Lieutenant Seaver, R.N., laid upon the Table of this House, by the Honorable the Colonial Treasurer, on the 24th instant, be printed.
6. MR. DALLEY to move, That an Address be presented to the Governor General, 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 Executive and Mr. W. R. Riley, relating to his appointment to, and removal from the Commission of the Peace.  
 (2.) Copies of all correspondence that has taken place between the Executive Government and any person or persons upon the same subject.  
 (3.) Also, copy of any Minutes of the Executive Council in reference thereto.

7. MR. DICKSON to move, That the Petition relative to the Maitland Reserves, presented by him on the 31st ultimo, be printed.
8. MR. SCOTT to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates of Expenditure for this year, a sum of £3,236 10s. 6d. to be paid to Mr. John Moore Dillon, the late Criminal Crown Solicitor, in lieu of pension for loss of office.
9. MR. HYERONIMUS to move, That the Petition from Wellington relative to State Aid to Religion, presented by him on the 1st instant, be printed.
10. REV. DR. LANG to move, That the Petition of certain Presbyterians of Sydney, on the subject of the St. Andrew's College Bill, presented by him on the 2nd instant, be referred to the Select Committee now sitting on that Bill.
11. MR. PARKES to move, That the Petition of Mr. Isaac Nichols, presented by him on the 1st instant, be referred to the Select Committee now sitting on Grievances.
12. MR. WILD to move,—  
(1.) That a Select Committee be appointed to inquire into and report upon a Petition from Mrs. Mary Jones, presented by Mr. Wild on the 24th ultimo.  
(2.) That such Committee consist of Mr. Clements, Mr. Oxley, Mr. Lyons, Mr. Close, Mr. Hart, Mr. Hamilton, and the Mover.
13. MR. ARNOLD to move,—  
(1.) That a Select Committee be appointed to inquire into the cases of Charles Skerrett, who was convicted of Cattle Stealing in 1855, and subsequently liberated and pardoned, on the discovery that such conviction had been procured by perjured evidence.  
(2.) That such Committee consist of the Mover, and Messrs. Black, Clements, Jones, Loder, Oxley, Parkes, Robertson, and Wisdom.
14. MR. HAY to move, That the Petition of certain Chinese Merchants of Victoria, relative to the Seizure of Opium per "Kato Hooper," presented by him on the 2nd instant, be printed.
15. MR. MORT to move, That the Petition of certain Citizens of Sydney, relative to the enforcement of the Act for the removal of Slaughter-houses, and other Nuisances, from the precincts of the City, presented by him on the 24th ultimo, be printed.
16. MR. DARVALL to move, That the Petition of the Churchwardens of St. Andrew's, presented by him on the 25th ultimo, be printed.
17. MR. DALLEY to move, That there be laid upon the Table of this House copies of all correspondence between Mr. Andrew Lenahan and the Government, with reference to a claim of Mr. Lenahan's for works performed at Government House.
18. MR. GORDON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence, including Petitions, &c., addressed to the Government, or from the Government to any person or persons, on the subject of Dungog being proclaimed a place where a District Court should be held in the Northern District.
19. MR. WEEKES to move,—  
(1.) That the Sydney Insurance Company's Act Amendment Bill be referred for the consideration and report of a Select Committee.  
(2.) That such Committee consist of the following Members:—Mr. Atkinson, Mr. Close, Mr. Cooper, Mr. Dickson, Mr. Gray, Mr. Hawkins, Mr. Lyons, Mr. Nott, and Mr. Rotton.

#### ORDERS OF THE DAY:—

1. Lion on Wool Act Continuation Bill; second reading.
2. Maitland Gas Lighting Bill; third reading.
3. Duration of Legislative Assemblies Limitation Bill; third reading.
4. Newcastle Wallsend Coal Company's Railway Bill; to be further considered in Committee.
5. Capital Punishments Abolition Bill; second reading.
6. Law of Primogeniture Abolition Bill; second reading.
7. Resumption of the adjourned Debate on Dr. Lang's motion,—  
" (1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.  
" (2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
8. Tanners' and Curriers' Bill; second reading.
9. Wesley College Bill; second reading.
10. Crown Lands Sales Bill; second reading.
11. Crown Lands Occupation Bill; second reading.
12. Importation of Cattle Regulation Bill; second reading.
13. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, That this Bill be now read a second time.

#### Questions:—

1. MR. CAPE to ask THE COLONIAL TREASURER,—Is it the intention of the Government to propose any addition, for the present year, to the ordinary annual grant of £20,000 for each of the Boards of Public Education?
2. MR. CAPE to ask THE SECRETARY FOR LANDS,—Is the Geological Survey of New South Wales still in progress; if so, when will Sections of the Map be exhibited for the information of the public, at the Office of the Surveyor General?

3. **MR. HART** to ask **THE COLONIAL SECRETARY**,—
- (1.) Whether the Government have given any instructions to Mr. Commissioner Buchanan to remove his head quarters from the Rocky River, in the District or Uralla, to Timbarra; or whether they contemplate making this change?
  - (2.) In the event of Mr. Buchanan's removal, what provision do the Government intend to make for the performance of the duties now imposed upon him under the Gold Fields Management Act at Uralla; and also for the holding of the Courts of Petty Sessions at that place?
4. **MR. PIDDINGTON** to ask the **SECRETARY FOR LANDS**,—
- (1.) Whether the Minister for Public Works intends to sanction the construction of a Viaduct about 3 miles from Campbelltown, upon timber props, 30 feet high above the ground, the surface of the uprights being only 12 inches square, the said Viaduct being on a curve and on a steep gradient of 1 in 70?
  - (2.) Whether any experiment has been tried in order to test such a Bridge as promised by the late Secretary for Public Works, Mr. Robertson; and if so, whether there will be any objection to state (1) the locality of the trial—and (2) whether the Bridge subjected to experiment was precisely similar to the Campbelltown Bridge in respect to curve, gradient and height above the ground?
5. **MR. DICKSON** to ask **THE SECRETARY FOR LANDS**,—
- (1.) Whether the Government intend offering for sale any portion of the Pasture Reserves of Maitland, as shewn on the Sale plan of 1829?
  - (2.) If a sale is intended, will there be any objection to postpone it till time is given for a Select Committee—should such be granted by this House—to inquire into, and report on the allegations contained in a Petition of the inhabitants of Maitland, presented to this House on the 31st ultimo?
6. **MR. GARRETT** to ask **THE COLONIAL TREASURER**,—If it is the intention of the Government to place upon the Supplementary Estimate for the present year; a Sum to make up the difference between the amount now on the Estimates, and that proposed by the late Government for the improvement of the Shoalhaven River?
7. **MR. CLEMENTS** to ask **THE COLONIAL SECRETARY**,—If it is true that no Tenders have been called for, for the repair of the Bathurst Road between the Fifteen-mile Hollow and Shephard's Bar, on the Blue Mountains; and if so, why not?
8. **MR. MACLEAY** to ask **THE COLONIAL SECRETARY**,—Whether a copy of the Despatch from the Secretary for the Colonies to the Governor General, dated 9th April, 1859, relating to the Assessment Bill, was, according to the usual custom, sent to the Colonial Secretary's Office; and if not, why not?

#### TUESDAY, FEBRUARY 7.

##### OTHER BUSINESS—NOTICES OF MOTION :—

1. **MR. COOPER** to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.
2. **MR. JENKINS** to move, That this House having had under consideration the following Petitions, presented on January 24th and 25th, in favor of Universal Education in this Colony, and the retention of the duties on Tea and Sugar, to provide a fund for the carrying out of the same, viz:—
  1. Petition from certain Female Residents of Sydney;
  2. Petition from the Judges, Professors of the University, Clergymen, Professional Men, Bankers, Merchants, and other Citizens of Sydney;
  3. Petition from Members of Sydney Mechanics' School of Arts,—Resolves—
  - (1.) That it is essential to the political stability and social advancement of this Colony, that the advantages of Primary Education should be universally diffused.
  - (2.) That large means are required to carry out successfully such measures as will secure Universal Education in this Colony.
  - (3.) That so soon as the exigencies of the Government will permit, the duties upon Tea and Sugar ought to cease to form a portion of the Consolidated Revenue Fund.
  - (4.) That the duties upon Tea and Sugar ought to be applied to the creation and maintenance of a Fund for the promotion of Public Education.
  - (5.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.
3. **MR. HART** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) Copies of all Correspondence between the Government and any person or persons, and also any other Papers and Minutes of the Executive, relative to the change of Escort from the Timbarra Gold Fields.
  - (2.) Copies of any Correspondence and Minutes of the Executive Government, relative to the removal of Mr. Commissioner Buchanan from the Rocky River to Timbarra.
4. **MR. FARVALL** to move for leave to bring in a Bill to amend the law regulating Public Ferries.
5. **MR. DICKSON** to move, That an Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing,—

- (1.) The way in which all sums of money voted by this House under the head of Allowances, Contingencies, Incidental Expenses, Special and Miscellaneous Services, since the introduction of Responsible Government, have been expended.
- (2.) That such Return shall shew in detail, the manner in which each vote under the above heads has been expended.
- (3.) Where the expenditure has been more or less than the sum voted, how the balance has been appropriated or provided.
6. MR. PARKES to move,—
- (1.) That the Governor General's Message, No. 19, received in answer to the Address agreed to by this House on the 20th December, 1859, by a majority of 42 to 8, on the Military Defences of the Colony, is, under all the circumstances of the case, extremely unsatisfactory.
- (2.) That an Address to His Excellency, embodying the foregoing Resolution, be adopted, referring the said Message back for the reconsideration of His Excellency's Responsible Advisers.
7. MR. DALLEY to move for leave to bring in a Bill to amend the Hawkesbury Benevolent Society's Act of Incorporation.
8. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Correspondence which has taken place between the Government and Captain Cheval Tabulum, Edward Ogilvie, and Robertson Brothers, Clarence River, with respect to the application of these parties to purchase extensive tracts of land, under the "pre-emptive right," in that locality.
9. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Correspondence which has taken place between the Government and the Returning Officer for the Electorate of New England, with respect to the appointment of additional Polling Places at Gostwyck, Tia, Toryburn, Ollera, and Rockvale, in that Electorate.
10. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of acres of land which have been alienated under the "pre-emptive right" since the inauguration of Responsible Government; specifying the quantity purchased by each individual; the locality in which such land was situated; the amount paid for each lot; and the names of the purchasers.
11. MR. HOSKINS to move, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year the sum of £3,000, as a Reward Fund for the discovery of new "Gold Fields."
12. MR. WEEKES to move, That, in the opinion of this House, from the large number of Magistrates resident in the District of Sydney, and their regular attendance at the Central Police Office, there is no necessity at the present time to put the country to the expense of an additional paid Police Magistrate for this City.
13. MR. WISDOM to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions in the case of Charles Skerrett, who was recently committed for cattle stealing by the Bench of Magistrates at Wingham; also, Copies of the Depositions taken in the case of the same person, committed by the same Bench for unlawfully presenting fire-arms.

ORDERS OF THE DAY:—

1. Freight and Charges Bill; second reading.
2. Parramatta Water Protection Bill; second reading.

Questions:—

1. MR. TERRY to ask THE COLONIAL SECRETARY,—What portion of the sum of £50,000 placed on the Estimates for 1860, for Court Houses and Gaols throughout the Colony, is it the intention of the Government to devote to the Court House and Gaol improvements at Mudgee; and to what other Gaols and Court Houses will the remainder of the £50,000 be applied; and what sums will be devoted to each place?
2. MR. WISDOM to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to place on the Supplementary Estimates for 1860, a sum of money for the purpose of erecting Dams and constructing Water Reservoirs in suitable places on the several Gold Fields throughout the Colony?

WEDNESDAY, FEBRUARY 8.

Contingent Notice of Motion:—

1. DR. LANG to move (on the proposal of the Honorable the Colonial Secretary to move the second reading of the Elective Legislative Council Bill),—That, in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony.

GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Elective Legislative Council Bill; second reading.
2. Ways and Means; Resumption of the Committee.
3. Supply; Resumption of the Committee.
4. Seamen's Engagement Amendment Bill; second reading.

THURSDAY

THURSDAY, FEBRUARY 9.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Harbor, Pilotage, and Navigation Bill; second reading.
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FRIDAY, FEBRUARY 10.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. CAPE to move, That there be laid upon the Table of this House, a copy of any Correspondence between the Board of National Education and the Government, on the subject of an addition to the Funds required for the purposes of National Education for the year 1860.
  2. MR. HODGSON to move,—
    - (1.) That in the opinion of this House the suppression of a Despatch from The Secretary of State for the Colonies, intimating the suspension of Her Majesty's Assent to an Act of the Legislature of the Colony, is disrespectful to this House, destructive of the harmonious working of Responsible Government, and calculated to impair the confidence which it is essential should exist between the Legislature and the Executive.
    - (2.) That this House having lately discovered, with regret, that the Despatch of Earl Carnarvon, dated April 9th, 1859, relative to the Assessment on Runs Act, was not communicated to this House on its arrival in this Colony, feels bound to express its condemnation of a course of proceeding which has had the effect of keeping this House and the Colony in ignorance of the real position of the above Act, and the intention of the Imperial Government respecting it, thereby prejudicing most materially a large and important class of the community in the assertion of their just rights.
    - (3.) That this House is constrained to add, as its deliberate opinion, that the Despatch in question was withheld with a sinister object.
    - (4.) That the above Resolutions be embodied in an Address to His Excellency the Governor General.
  3. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Government of this Colony and the Imperial Government, relative to the allowance by Her Majesty of the Act to Incorporate St. John's College.
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TUESDAY, FEBRUARY 14.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Revenue and Audit Bill; second reading.

T. A. MURRAY,  
*Speaker.*

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No. 55.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

FRIDAY, 3 FEBRUARY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Necropolis Act Extension Bill:—Mr. Byrnes, having *presented* this Bill, intituled "*A Bill to extend the Provisions of the 11 Victoria, No. 11,*" read a first time; ordered to be printed, and read a second time, on Friday next.
2. Papers:—Mr. Forster laid upon the Table the following Papers:—  
(1.) Final Return to Order in reference to State-paid Clergymen, made by this House, on motion of Mr. Jones, on the 23rd September last.  
(2.) Return (in part) to Address, in reference to Railway Extension Contracts, adopted, on motion of Mr. Piddington, on the 29th September last.  
Ordered to be printed.
3. Protracted Litigation in the Supreme Court:—Mr. Hodgson presented a Petition from the Firm of P. N. Russell and Co., complaining of great expense and delay in a case pending in the Supreme Court between themselves and Mr. Thomas Alston—and praying relief for themselves and other suitors similarly situated.  
Petition received.
4. Postponement:—Mr. Robertson postponed the motion standing in his name No. 1 on the Notice Paper for to-day, until this day week.
5. Condition of the Bathurst Road:—Mr. Cummings moved, pursuant to notice, That the Select Committee on the "*Condition of the Bathurst Road,*" have leave to inquire also into the management and construction of the Road.  
Question put and passed.
6. Shoalhaven Municipality:—The Revd. Dr. Lang moved, pursuant to notice, "That" the Petition of the Hon. Alexander Berry, Esquire, ordered by this House to be printed on Friday, 23rd September last, be now taken into consideration.  
Mr. Plunkett moved, That the Question be amended by the omission of all the words following the word "That," at the commencement, with a view to the insertion in their place of the following words:—"a Select Committee, with liberty to send for persons and papers, be appointed to inquire into, and report upon the Petition of Alexander Berry, Esquire, presented to this House on the 21st day of September last, and that such Committee consist of nine Members and the Mover, and be appointed "by Ballot."  
Debate ensued.  
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 the place of the words omitted, be there inserted,—put and passed.  
Question then,—"That a Select Committee, with liberty to send for persons and papers, be appointed to inquire into, and report upon the Petition of Alexander Berry, Esquire, presented to this House on the 21st day of September last; and that such Committee consist of nine Members with the Mover, and be appointed "by Ballot,"—put and passed.  
Whereupon the House proceeded to the Ballot, and the Speaker declared the following Members to be the Committee duly appointed, viz.:—Mr. Plunkett, Mr. Robertson, Mr. Hay, Mr. Byrnes, Mr. McArthur, Mr. Scott, Mr. Garrett, The Rev. Dr. Lang, Mr. Wilson, and Mr. Darvall.
7. Attendance of Member of Legislative Council as Witness:—Mr. Parkes moved, That the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee to inquire into "The Condition of the Working Classes of the Metropolis," and that Committee being desirous to examine the Honorable Robert Fitzgerald, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.

*Legislative Assembly Chamber,  
Sydney 3 February, 1860.*

Speaker.

Question put and passed.

8.

8. Mr. Jonathan Croft:—Mr. Dalley moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Despatches and Communications with the Imperial Government relative to the Petition of Mr. Jonathan Croft. Question put and passed.
9. Lieutenant Seaver, R. N.:—Mr. Hodgson moved, pursuant to notice, That the Return to the Address respecting Lieutenant Seaver, R.N., laid upon the Table of this House, by the Honorable the Colonial Treasurer, on the 24th instant, be printed. Debate ensued. Motion by leave withdrawn.
10. Mr. W. R. Riley:—Mr. Dalley moved, pursuant to notice, That an Address be presented to the Governor General, 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 Executive and Mr. W. R. Riley, relating to his appointment to, and removal from the Commission of the Peace.  
 (2.) Copies of all correspondence that has taken place between the Executive Government and any person or persons upon the same subject.  
 (3.) Also, copy of any Minutes of the Executive Council in reference thereto. Question put and passed.
11. Maitland Pasturage Reserve:—Mr. Weekes moved, pursuant to notice, standing in the name of Mr. Dickson; That the Petition relative to the Maitland Reserves, presented by Mr. Dickson on the 31st ultimo, be printed. Question put and passed. Ordered to be printed.
12. Mr. John Moore Dillon:—Mr. Septt. moved, pursuant to amended notice, That this "House" will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates of Expenditure for this year, a sum not exceeding £3,236 10s. 6d. to be paid to Mr. John Moore Dillon, the late Criminal Crown Solicitor, in lieu of pension for loss of office. Debate ensued. Mr. Arnold moved, That the Question be amended by the omission of all the words following the word "House," with a view to the insertion in their place of the words;—"is of opinion that the case of Mr. John Moore Dillon is entitled to the "favorable consideration of the Government, whenever a vacancy may occur in the "Public Service which that Gentleman may be qualified to fill." Debate continued. Question put,—That the words proposed to be omitted stand part of the Question. The House divided.

## Ayes, 40.

Mr. Forster;	Mr. Darvall,	
Mr. Black,	Mr. Martin,	
Mr. Cummings,	Mr. Morris,	
Mr. Cape,	Mr. Jenkins,	
Mr. Faucett;	Mr. Oxley,	
Mr. Gray,	Mr. Close,	
Mr. Watt,	Mr. Gordon,	
Mr. Jones,	Mr. Dalley,	
Mr. Hodgson;	Mr. Egan,	
Mr. Hyeronimus;	Mr. Pemell,	
Mr. Garrett,	Mr. G. Lang,	
Mr. Wilson,	Mr. Laycock,	
Mr. Terry,	Mr. Hurley,	
Rev. Dr. Lang;	Mr. Broughton,	
Mr. Plunkett,	Mr. Hoskins,	
Mr. Hamilton;	Mr. McArthur;	
Mr. Loder,	Mr. Wild,	
Mr. Macleay,	Mr. Clements,	
Mr. Hay,	Mr. Wisdom,	} Tellers.
Mr. Scott,	Mr. Hart,	

## Noes, 6.

Mr. Parkes,	
Mr. Arnold,	
Mr. Robertson,	
Mr. Weekes,	
Mr. Roberts,	} Tellers.
Mr. Byrnes,	

Original Question put.

The House divided.

## Ayes, 20.

Mr. Plunkett,	Mr. Hyeronimus	
Mr. Macleay,	Mr. Morris,	
Mr. Hay,	Mr. Hodgson,	
Mr. Scott,	Mr. Cummings,	
Mr. Darvall,	Mr. Wild,	} Tellers.
Mr. Martin,	Mr. Faucett,	
Mr. Jenkins,		
Mr. Hurley,		
Mr. Oxley,		
Mr. Close,		
Mr. Dalley,		
Mr. Egan,		
Mr. Clements,		
Mr. Terry,		

## Noes, 28.

Mr. Parkes,	Mr. Broughton,	
Mr. Arnold,	Mr. Laycock,	
Mr. Forster,	Mr. Hamilton;	
Mr. Robertson,	Mr. Loder,	
Mr. Hoskins,	Mr. Hart,	
Mr. Gordon,	Mr. Pemell,	
Mr. Gray,	Mr. Cape,	
Mr. Wisdom,	Mr. G. Lang,	
Mr. Black,	Rev. Dr. Lang,	
Mr. McArthur;	Mr. Jones,	
Mr. Watt,	Mr. Piddington,	
Mr. Garrett,	Mr. Roberts,	
Mr. Weekes,	Mr. Irving,	} Tellers.
Mr. Wilson,	Mr. Byrnes,	

18. State Aid to Religion:—Mr. Hyeronimus moved, pursuant to notice, That the Petition from Wellington relative to State Aid to Religion, presented by him on the 1st instant, be printed. Question put and passed. Ordered to be printed.



14. *St. Andrew's College Bill*.:—The Rev. Dr. Lang moved, pursuant to notice, That the Petition of certain Presbyterians of Sydney, on the subject of the *St. Andrew's College Bill*, presented by him on the 2nd instant, be referred to the Select Committee now sitting on that Bill.

Question put and passed.

15. *Proposed Adjournment*.:—Mr. Egan moved, That this House do now adjourn until Three o'clock on Tuesday next.

Question put.

The House divided.

Ayes, 5.

Mr. Terry,  
Mr. Hurley,  
Mr. Cummings,  
Mr. Egan,  
Mr. Macleay, } Tellers.

Noes, 39.

Mr. Parkes,	Mr. Laycock,	
Mr. Arnold,	Mr. Wilson,	
Mr. Robertson,	Mr. Close,	
Mr. Hoskins,	Mr. Oxley,	
Mr. Wisdom,	Mr. Martin,	
Mr. Clements,	Mr. Darvall,	
Mr. Black,	Mr. Hamilton,	
Mr. Forster,	Mr. Morris,	
Mr. Watt,	Mr. Hart,	
Mr. Gray,	Mr. Pemell,	
Mr. Garrett,	Mr. G. Lang,	
Mr. Piddington,	Mr. Jones,	
Mr. Hyeronimus,	Rev. Dr. Lang,	
Mr. Wild,	Mr. Roberts,	
Mr. Hodgson,	Mr. McArthur,	
Mr. Loder,	Mr. Weekes,	
Mr. Fancett,	Mr. Gordon,	
Mr. Hay,	Mr. Byrnes,	} Tellers.
Mr. Plunkett,	Mr. Irving,	
Mr. Jenkins,		

16. *Mr. Isaac Nichols*.:—Mr. Parkes moved, pursuant to amended notice, That the Petition of Mr. Isaac Nichols, presented by him on the 1st instant, be printed and referred to the Select Committee now sitting on Grievances.

Question put and passed.

Ordered to be printed and referred accordingly.

17. *Mrs. Mary Jones*.:—Mr. Wild moved, pursuant to notice,—

(1.) That a Select Committee be appointed to inquire into and report upon a Petition from Mrs. Mary Jones, presented by Mr. Wild on the 24th ultimo.

(2.) That such Committee consist of Mr. Clements, Mr. Oxley, Mr. Lyons, Mr. Close, Mr. Hart, Mr. Hamilton, and the Mover.

Question put and passed.

18. *Charles Skerrett*.:—Mr. Arnold moved, pursuant to amended notice :—

(1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into the cases of Charles Skerrett, who was convicted of Cattle Stealing in 1855, and subsequently liberated and pardoned, on the discovery that such conviction had been procured by the evidence of a person since convicted of perjury.

(2.) That such Committee consist of the Mover, and Messrs. Black, Clements, Jones, Loder, Oxley, Parkes, Robertson, Hart, and Wisdom.

Debate ensued.

Question put and passed.

19. *Seizure of Opium per "Kate Hooper"*.:—Mr. Hay moved, pursuant to notice, That the Petition of certain Chinese Merchants of Victoria, relative to the Seizure of Opium per "Kate Hooper," presented by him on the 2nd instant, be printed.

Question put and passed.

Ordered to be printed.

20. *Removal of Slaughter-houses and other Nuisances from Sydney*.:—Mr. Parkes moved, pursuant to notice standing in the name of Mr. Mort, That the Petition of certain Citizens of Sydney, relative to the enforcement of the Act for the removal of Slaughter-houses and other Nuisances from the precincts of the City, presented by Mr. Mort on the 24th ultimo, be printed.

Question put and passed.

Ordered to be printed.

21. *The Dean of St. Andrew's, Sydney*.:—Mr. Darvall moved, pursuant to notice, That the Petition of the Churchwardens of St. Andrew's, presented by him on the 25th ultimo be printed.

Question put and passed.

Ordered to be printed.

And the House continuing to sit till after midnight,—

SATURDAY, 4 FEBRUARY, 1860, A.M.

22. *Postponements*.:—

(1.) Mr. Oxley postponed the motion standing in the name of Mr. Dalley, No. 17 on the Notice Paper for to-day, until Tuesday next.

(2.) Mr. Gordon postponed the motion standing in his name, No. 18 on the Notice Paper for to-day, until Friday next.

23. Sydney Insurance Company's Act Amendment Bill:—Mr. Gordon moved, pursuant to notice, standing in the name of Mr. Weekes,—

(1.) That the Sydney Insurance Company's Act Amendment Bill be referred for the consideration and report of a Select Committee.

(2.) That such Committee consist of the following Members:—Mr. Atkinson, Mr. Close, Mr. Cooper, Mr. Dickson, Mr. Gray, Mr. Hawkins, Mr. Lyons, Mr. Nott, and Mr. Rotton.

Question put and passed.

24. Postponement:—The second reading of the Lien on Wool Act Continuation Bill postponed, on motion of Mr. Morris, until this day month.

25. Maitland Gas Lighting Bill, on motion of Mr. Jones, read a third time, and passed.

Mr. Jones then moved, That the Title of this Bill be, "*An Act for enabling John Warn Tuck to light with Gas the Towns of East Maitland and West Maitland, in the Colony of New South Wales.*"

Question put and passed.

Whereupon, Mr. Jones moved, That this Bill be returned to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day agreed to the Bill intituled, "*An Act for enabling John Warn Tuck to light with Gas the Towns of East Maitland and West Maitland, in the Colony of New South Wales,*" returns the same to the Legislative Council without amendment.

Legislative Assembly Chamber,

Sydney, 4 February, 1860.

Speaker.

Question put and passed.

26. Duration of Legislative Assemblies Limitation Bill:—The Revd. Dr. Lang moved, That this Bill be "now" read a third time.

Mr. Oxley moved, That the Question be amended by the omission of the word "now," with a view to add at the end the words "this day six months."

Debate ensued.

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

The House divided.

Ayes, 19.

Mr. Jones,	Rev. Dr. Lang,	
Mr. Black,	Mr. Gray,	
Mr. Robertson,	Mr. Wilson,	
Mr. Parkes,	Mr. Laycock,	
Mr. Garrett,	Mr. Dalley,	
Mr. Hoskins,	Mr. Wisdom,	
Mr. Weekes,	Mr. Arnold,	} Tellers.
Mr. Terry,	Mr. Hart,	
Mr. Gordon,		
Mr. Pomell,		
Mr. G. Lang,		

Noes, 21.

Mr. Forster,	Mr. Cummings,	
Mr. Morris,	Mr. Roberts,	
Mr. Darvall,	Mr. Byrnes,	
Mr. Hamilton,	Mr. Hay,	
Mr. Clements,	Mr. Wild,	
Mr. Jenkins,	Mr. Oxley,	
Mr. Macleay,	Mr. Watt,	
Mr. Martin,	Mr. Piddington,	
Mr. Egan,	Mr. Irving,	} Tellers.
Mr. Faucett,	Mr. Nott,	
Mr. Loder,		

Question,—That the words proposed to be added be so added—put and passed.

Whereupon Question put,—That this Bill be read a third time this day six months.

The House divided.

Ayes, 21.

Mr. Forster,	Mr. Loder,	
Mr. Irving,	Mr. Roberts,	
Mr. Clements,	Mr. Cummings,	
Mr. Macleay,	Mr. Darvall,	
Mr. Watt,	Mr. Martin,	
Mr. Wild,	Mr. Byrnes,	
Mr. Jenkins,	Mr. Oxley,	
Mr. Nott,	Mr. Piddington,	
Mr. Hay,	Mr. Hamilton,	} Tellers.
Mr. Faucett,	Mr. Morris,	
Mr. Egan,		

Noes, 19.

Mr. Arnold,	Mr. Pomell,	
Mr. Robertson,	Mr. Laycock,	
Mr. Black,	Mr. Gray,	
Mr. Hoskins,	Rev. Dr. Lang,	
Mr. Hart,	Mr. Dalley,	
Mr. Weekes,	Mr. Parkes,	
Mr. Wisdom,	Mr. G. Lang,	} Tellers.
Mr. Garrett,	Mr. Wilson,	
Mr. Gordon,		
Mr. Terry,		
Mr. Jones,		

27. Postponements:—

(1.) The further consideration in Committee of the Newcastle Wallsend Coal Company's Railway Bill postponed, on motion of Mr. Jones, until Tuesday next.

(2.) The second reading of the Capital Punishments Abolition Bill postponed, on motion of Mr. Parkes, until Friday week.

(3.) The second reading of the Law of Primogeniture Abolition Bill postponed, on motion of Mr. Arnold, until Friday next.

(4.) The resumption of the adjourned Debate on Dr. Lang's motion,—

"(1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.

"(2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flott, Mr. Rotton, Mr. Laycock, and the Mover,"—postponed, on motion of the Revd. Dr. Lang, until Friday week.

(5.) The second reading of the Tanners' and Curriers' Bill postponed, on motion of Mr. Parkes, until Tuesday next.

(6.) The second reading of the Wesley College Bill postponed, on motion of Mr. Byrnes, until Tuesday next.

28. Crown Lands Sales Bill:—The Order of the Day for the second reading of this Bill discharged from the Paper, on motion of Mr. Robertson.

Whereupon Bill, on motion of Mr. Robertson, discharged from the Paper.

29. Crown Lands Occupation Bill :—The Order of the Day for the second reading of this Bill, discharged from the Paper, on motion of Mr. Robertson.  
Whereupon Bill, on motion of Mr. Robertson, discharged from the Paper.
30. Postponements :—  
(1) The second reading of the Importation of Cattle Regulation Bill postponed, on motion of Mr. Morris, until Friday next.  
(2.) The resumption of the adjourned debate on Mr. Oxley's motion, that the Primary Education Encouragement Bill be now read a second time, postponed, on motion of Mr. Forster, until Friday next.
- The House adjourned at half-past Two o'clock A.M., until Tuesday next, at Three o'clock P.M.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, FEBRUARY 7.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.
2. Mr. JENKINS to move, That this House having had under consideration the following Petitions, presented on January 24th and 25th, in favor of Universal Education in this Colony, and the retention of the duties on Tea and Sugar, to provide a fund for the carrying out of the same, viz. :—
  1. Petition from certain Female Residents of Sydney ;
  2. Petition from the Judges, Professors of the University, Clergymen, Professional Men, Bankers, Merchants, and other Citizens of Sydney ;
  3. Petition from Members of Sydney Mechanics' School of Arts,—Resolves—
    - (1.) That it is essential to the political stability and social advancement of this Colony, that the advantages of Primary Education should be universally diffused.
    - (2.) That large means are required to carry out successfully such measures as will secure Universal Education in this Colony.
    - (3.) That so soon as the exigencies of the Government will permit, the duties upon Tea and Sugar ought to cease to form a portion of the Consolidated Revenue Fund.
    - (4.) That the duties upon Tea and Sugar ought to be applied to the erection and maintenance of a Fund for the promotion of Public Education.
    - (5.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.
3. Mr. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) Copies of all Correspondence between the Government and any person or persons, and also any other Papers and Minutes of the Executive, relative to the change of Escort from the Timbarra Gold Fields.
  - (2.) Copies of any Correspondence and Minutes of the Executive Government, relative to the removal of Mr. Commissioner Buchanan from the Rocky River to Timbarra.
4. Mr. DARVALL to move for leave to bring in a Bill to amend the law regulating Public Ferries.
5. Mr. DICKSON to move, That an Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return showing,—
  - (1.) The way in which all sums of money voted by this House under the head of Allowances, Contingencies, Incidental Expenses, Special and Miscellaneous Services, since the introduction of Responsible Government, have been expended.
  - (2.) That such Return shall show in detail, the manner in which each vote under the above heads has been expended.
  - (3.) Where the expenditure has been more or less than the sum voted, how the balance has been appropriated or provided.
6. Mr. PARKES to move,—
  - (1.) That the Governor General's Message, No. 19, received in answer to the Address agreed to by this House on the 20th December, 1859, by a majority of 42 to 8, on the Military Defences of the Colony, is, under all the circumstances of the case, extremely unsatisfactory.
  - (2.) That an Address to His Excellency, embodying the foregoing Resolution, be adopted, referring the said Message back for the reconsideration of His Excellency's Responsible Advisers.
7. Mr. DALLEY to move for leave to bring in a Bill to amend the Hawkesbury Benevolent Society's Act of Incorporation.
8. Mr. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Correspondence which has taken place between the Government and Captain Cheval Tabulum, Edward Ogilvie, and Robertson Brothers, Clarence River, with respect to the application of these parties to purchase extensive tracts of land, under the "pre-emptive right," in that locality.

9. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Correspondence which has taken place between the Government and the Returning Officer for the Electorate of New England, with respect to the appointment of additional Polling Places at Gostwyck, Tia, Toryburn, Ollera, and Rockvale, in that Electorate.
10. MR. HOSKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of acres of land which have been alienated under the "pre-emptive right" since the inauguration of Responsible Government; specifying the quantity purchased by each individual; the locality in which such land was situated; the amount paid for each lot; and the names of the purchasers.
11. MR. HOSKINS to move, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year the sum of £3,000, as a Reward Fund for the discovery of new "Gold Fields."
12. MR. WEEKES to move, That, in the opinion of this House, from the large number of Magistrates resident in the District of Sydney, and their regular attendance at the Central Police Office, there is no necessity at the present time to put the country to the expense of an additional paid Police Magistrate for this City.
13. MR. WISDOM to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions in the case of Charles Skerrett, who was recently committed for cattle stealing by the Bench of Magistrates at Wingham; also, Copies of the Depositions taken in the case of the same person, committed by the same Bench for unlawfully presenting fire-arms.
14. MR. HODGSON to move, That the Petition of Messrs. P. N. Russell and Co., relative to Protracted Litigation in the Supreme Court, presented by him on the 3rd instant, be printed.
15. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Postmaster General and the Inhabitants of Gundaroo, relative to the site of the Post Office in that District.
16. MR. OXLEY to move,—  
(1.) That the hour, as at present fixed, for the arrival in Sydney of the Mails from the Southern Districts, causes great and unnecessary inconvenience to the inhabitants of that portion of the Colony.  
(2.) That an Address embodying the above Resolution be presented to His Excellency the Governor General.
17. MR. DALLEY to move, That there be laid upon the Table of this House copies of all correspondence between Mr. Andrew Leuchan and the Government, with reference to a claim of Mr. Leuchan's for works performed at Government House.

#### ORDERS OF THE DAY:—

1. Freight and Charges Bill; second reading.
2. Parramatta Water Protection Bill; second reading.
3. Newcastle Wallsend Coal Company's Railway Bill; to be further considered in Committee.
4. Tanners' and Curriers' Bill; second reading.
5. Wesley College Bill; second reading.

#### Questions:—

1. MR. TERRY to ask THE COLONIAL SECRETARY,—What portion of the sum of £50,000 placed on the Estimates for 1860, for Court Houses and Gaols throughout the Colony, is it the intention of the Government to devote to the Court House and Gaol improvements at Mudgee; and to what other Gaols and Court Houses will the remainder of the £50,000 be applied; and what sums will be devoted to each place?
2. MR. WISDOM to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to place on the Supplementary Estimates for 1860, a sum of money for the purpose of erecting Dams and constructing Water Reservoirs in suitable places on the several Gold Fields throughout the Colony?
3. MR. TERRY to ask THE COLONIAL SECRETARY,—Whether a Petition praying that Newtown might be declared a place for holding Petty Sessions had been received; and if so, what course do the Government intend to take in regard to the same?
4. MR. GORDON to ask THE COLONIAL SECRETARY in the absence of THE MINISTER FOR PUBLIC WORKS,—Whether it is the intention of the Government to place upon the Supplementary Estimates for the present year, a Sum to make up the difference between the amount now on the Estimates, and that proposed by the late Government for the Improvement of the Wollongong Harbour?
5. MR. GORDON to ask THE COLONIAL SECRETARY in the absence of THE MINISTER FOR PUBLIC WORKS,—When the Plans and Specifications, relative to the Improvement of Wollongong Harbour, moved for by him, and agreed to on the 13th December last, will be ready, and laid upon the Table of this House?

WEDNESDAY, FEBRUARY 8:

*Contingent Notice of Motion:—*

1. DR. LANG to move (on the proposal of the Honorable the Colonial Secretary to move the second reading of the *Elective Legislative Council Bill*),—That, in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony.

GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Elective Legislative Council Bill; second reading.
2. Ways and Means; Resumption of the Committee.
3. Supply; Resumption of the Committee.
4. Seamen's Engagement Amendment Bill; second reading.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. HOSKINS to move, That, upon every occasion when this House is counted out, the names of Honorable Members present be inserted in the Records of this Assembly.

THURSDAY, FEBRUARY 9.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Harbor, Pilotage, and Navigation Bill; second reading.

FRIDAY, FEBRUARY 10.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. CAPE to move, That there be laid upon the Table of this House, a copy of any Correspondence between the Board of National Education and the Government, on the subject of an addition to the Funds required for the purposes of National Education for the year 1860.
2. MR. HODGSON to move,—
  - (1.) That in the opinion of this House the suppression of a Despatch from The Secretary of State for the Colonies, intimating the suspension of Her Majesty's Assent to an Act of the Legislature of the Colony, is disrespectful to this House, destructive of the harmonious working of Responsible Government, and calculated to impair the confidence which it is essential should exist between the Legislature and the Executive.
  - (2.) That this House having lately discovered, with regret, that the Despatch of Earl Carnarvon, dated April 9th, 1850, relative to the Assessment on Runs Act, was not communicated to this House on its arrival in this Colony, feels bound to express its condemnation of a course of proceeding which has had the effect of keeping this House and the Colony in ignorance of the real position of the above Act, and the intention of the Imperial Government respecting it, thereby prejudicing most materially a large and important class of the community in the assertion of their just rights.
  - (3.) That this House is constrained to add, as its deliberate opinion, that the Despatch in question was withheld with a sinister object.
  - (4.) That the above Resolutions be embodied in an Address to His Excellency the Governor General.
3. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Government of this Colony and the Imperial Government, relative to the allowance by Her Majesty of the Act to Incorporate St. John's College.
4. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
5. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
6. MR. GORDON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence, including Petitions, &c., addressed to the Government, or from the Government to any person or persons, on the subject of Dungog being proclaimed a place where a District Court should be held in the Northern District.

ORDERS OF THE DAY:—

1. Necropolis Act Extension Bill; second reading.
2. Law of Primogeniture Abolition Bill; second reading.
3. Importation of Cattle Regulation Bill; second reading.
4. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, That this Bill be now read a second time.

TUESDAY,

TUESDAY, FEBRUARY 14.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Revenue and Audit Bill; second reading.
- 

FRIDAY, FEBRUARY 17.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Capital Punishments Abolition Bill; second reading.
  2. Resumption of the adjourned Debate on Dr. Lang's motion,—  
" (1.) That a Select Committee be appointed to take into consideration, and to Report  
" upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Com-  
" pany's Act.  
" (2.) That such Committee consist of the following Members, viz. :—Mr. Robertson,  
" Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
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FRIDAY, MARCH 2.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Lien on Wool Act Continuation Bill; second reading.

T. A. MURRAY,  
*Speaker.*

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No. 56.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

TUESDAY, 7 FEBRUARY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Member Sworn:—John Lucas, Esquire, having taken the Oath and subscribed the Roll, took his Seat as a Member for the Electoral District of Canterbury.
2. Vote of Thanks to the late Speaker, Sir Daniel Cooper:—The Speaker reported that, in pursuance of the Vote of this House on the 1st instant, he had addressed the following letter to the late Speaker, Sir Daniel Cooper:—

*" Legislative Assembly Chamber,  
" Sydney, 3 February, 1860.*

" SIR,

" In accordance with a Resolution passed unanimously by this House on the 1st instant, and entered on the Votes and Proceedings of that day, (of which I do myself the honor to transmit a copy herewith) it is my pleasing duty to convey to you the Thanks of this House for your valuable services during the period for which you have held the office of Speaker; and to assure you that your conscientious and efficient discharge of your duties during several long and most exhausting Sessions, your jealous maintenance of the rights of this House, and your uniform impartiality and urbanity, while in the Chair, have secured for you the Esteem and Gratitude of every Member of this House.

" I have the honor to be,

" Sir,

" Your most obedient Servant,

" T. A. MURRAY,

" Speaker.

" SIR DANIEL COOPER, Knight,

" Late Speaker of the Legislative Assembly."

Which was presented to Sir Daniel Cooper by the Clerk and the Sergeant-at-Arms, who were the bearers of the following reply:—

*" Woollahra, 7 February, 1860.*

" MY DEAR MR. SPEAKER,

" I have the honor to acknowledge the receipt of your favor of 3rd instant, conveying to me a Resolution passed by the Legislative Assembly, approving of my services and conduct in the Speaker's Chair.

" I have to request that you will be good enough to return my thanks to the House for this distinguished mark of its favor, which I shall ever consider as one of the greatest honors conferred upon me.

" Believe me,

" Mr. Speaker,

" Yours most faithfully,

" DANIEL COOPER.

" The Honorable

" The Speaker."

Which Letters having been read at length by the Speaker;—

Mr. Jones moved, That the Letters, just read by the Speaker, be printed in the Votes and Proceedings of this House for to-day.

Question put and passed.

3. Paper:—Mr. Samuel laid upon the Table the Report of a Sub-Committee of the Pilot-Board, assisted by the Health Officer and the Water Police Magistrate, to the Honorable the Colonial Treasurer, on the subject of the Rescue of Two Female Children from the natives of Frazer's Island, by the Officers and Crew of the Schooner "Coquette."

Ordered to be printed.

4. Quarter Sessions, Molong:—Mr. Lord presented a Petition from certain Magistrates, Landowners, and Residents in the Township and District of Molong, representing the capabilities of Molong as a place for holding Courts of Quarter Sessions; and praying that such Courts may be established there, and that at the same time relief may be afforded as regards the inefficient state of their Court House and Gaol Buildings.

Petition received.

5. Paper:—Mr. Samuel laid upon the Table the Return to the Address in reference to Experimental Quartz Crushing Machine, adopted, on motion of Mr. Wilson, on the 2nd instant.

Ordered to be printed.

6.

6. Dry Dock, Waterview Bay :—Mr. Parkes presented a Petition from Thomas S. Rowntree, Lessee of Mort's Dry Dock, Waterview Bay, Balmain, praying that he may be relieved from the competition of the Fitz Roy Dry Dock.  
Petition received.
7. Steam Postal Service :—Mr. Parkes presented a Petition from Alexander Stuart, Esquire, as Chairman of the Sydney Chamber of Commerce, in favor of Steam Postal Communication *via* Panama, and praying that this House will decline all assistance whatever, towards carrying out any new arrangement with the Peninsular and Oriental Steam Navigation Company.  
Petition received.
8. William Henry :—Mr. Parkes presented a Petition from William Henry, late of Millwood Farm, in the Parish of Gordon, detailing circumstances under which he came into the occupancy of certain land at Lane Cove, remained in possession of it for upwards of forty years, and has now been deprived of it ; and praying relief.  
Petition read at length by the Clerk, and received.
9. State Aid to Religion :—Mr. Darvall presented a Petition from certain Inhabitants of Wollongong, against the withdrawal of State Aid to Religion, and praying that if such withdrawal take place the Clergymen so deprived of aid may be compensated.  
Petition received.
10. Identified Stolen Horses :—Mr. Macleay presented a Petition from Richard Brett and Richard Heather, of Adelong Gold Fields, representing that having, on the summons of the Police authorities of Yass, identified certain Horses which had been stolen from them, they have been unable to obtain their restoration ; and praying relief.  
Petition received.
11. Paper :—Mr. Black laid upon the Table the Return (in part) to the Address, in reference to Improvements at Wollongong Harbour, adopted, on motion of Mr. Gordon, on the 14th December last.
12. Postponements :—  
(1.) Mr. Cooper postponed the motion standing in his name No. 1 on the Notice Paper for to-day, until this day fortnight.  
(2.) Mr. Jenkins postponed the motion standing in his name No. 2 on the Notice Paper for to-day, until this day week.
13. Timbarra Gold Escort :—Mr. Hart moved, pursuant to *amended* notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Government and any person or persons, and also any other Papers and Minutes of the Executive, relative to the change of Escort from the Timbarra Gold Fields.  
Question put and passed.
14. Motion dropped :—Mr. Darvall not moving the Motion standing in his name No. 4 on the Notice Paper for to-day, it dropped.
15. Classification of Expenditure of Public Money :—Mr. Dickson moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing,—  
(1.) The way in which all sums of money, voted by this House under the head of Allowances, Contingencies, Incidental Expenses, Special and Miscellaneous Services, since the introduction of Responsible Government, have been expended.  
(2.) That such Return shall shew in detail, the manner in which each vote under the above heads has been expended.  
(3.) Where the expenditure has been more or less than the sum voted, how the balance has been appropriated or provided.  
Debate ensued.  
Question put and passed.
16. Defences of the Colony :—Mr. Parkes moved, pursuant to notice,—  
(1.) That the Governor General's Message, No. 19, received in answer to the Address agreed to by this House on the 20th December, 1859, by a majority of 42 to "8," on the Military Defences of the Colony, is, under all the circumstances of the case, extremely unsatisfactory.  
(2.) That an Address to His Excellency, embodying the foregoing Resolution, be adopted, referring the said Message back for the reconsideration of His Excellency's Responsible Advisers.  
Debate ensued.  
Motion made by Mr. Robertson, and Question put and passed, That the Question be amended by the insertion, after the figure "8," of the words "in which majority the "Ministers voted."  
Whereupon Question put,—  
(1.) That the Governor General's Message, No. 19, received in answer to the Address agreed to by this House on the 20th December, 1859, by a majority of 42 to 8, in which majority the Ministers voted, on the Military Defences of the Colony, is, under all the circumstances of the case, extremely unsatisfactory.  
(2.) That an Address to His Excellency, embodying the foregoing Resolution, be adopted, referring the said Message back for the reconsideration of His Excellency's Responsible Advisers.



The House divided.

Ayes, 16.

Mr. Wisdom,	Mr. Darvall,	
Mr. Parkes,	Mr. G. Lang,	
Mr. Gordon,	Mr. Robertson,	} Tellers.
Mr. Hoskins,	Mr. Cooper,	
Mr. Egan,		
Mr. Terry,		
Mr. Laycock,		
Mr. Byrnes,		
Mr. Dickson,		
Mr. Weekes,		
Mr. Martin,		
Mr. Lucas,		

Noes, 24.

Mr. Watt,	Mr. Loder,	
Mr. Black,	Mr. Clements,	
Mr. Samuel,	Mr. Broughton,	
Mr. Forster,	Mr. Campbell,	
Mr. Cummings,	Mr. Olose,	
Mr. Piddington,	Mr. Lyons,	
Mr. Morria,	Mr. Hamilton,	
Mr. Hart,	Mr. Plunkett,	
Mr. Jenkins,	Mr. Cape,	
Mr. Oxley,	Mr. Jones,	
Mr. Mort,	Mr. Hay,	} Tellers.
Mr. Hurley,	Mr. Wilson,	

17. Postponement :—Mr. Parkes postponed the motion standing in the name of Mr. Dalley, No. 7 on the Notice Paper for to-day, until Friday next.

18. Exercise of "Pre-emptive Right" at Clarence River :—Mr. Hoskins moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Correspondence which has taken place between the Government and Captain Cheval, Tabulum, Edward Ogilvie, and Robertson Brothers, Clarence River, with respect to the application of these parties to purchase extensive tracts of land, under the "pre-emptive right," in that locality.

Debate ensued.

Motion by leave withdrawn.

19. Additional Polling Places, New England :—Mr. Hoskins moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Correspondence which has taken place between the Government and the Returning Officer for the Electorate of New England, with respect to the appointment of additional Polling Places at Gostwyck, Tia, Toryburn, Ollera, and Rockvale, in that Electorate.

Motion made by Mr. Robertson, and Question put and passed, That the Question be amended by the addition of the words,—“also a Numerical Return of the “Polling Places in the District of New England, distinguishing those on private “establishments.”

Whereupon Question,—That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any correspondence which has taken place between the Government and the Returning Officer for the Electorate of New England, with respect to the appointment of additional Polling Places at Gostwyck, Tia, Toryburn, Ollera, and Rockvale, in that Electorate; also a Numerical Return of the Polling Places in the District of New England, distinguishing those on private establishments—put and passed.

20. Exercise of Pre-emptive Right since the inauguration of Responsible Government :—Mr. Hoskins moved, pursuant to amended notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of acres of land which have been alienated under the “pre-emptive right” since the inauguration of Responsible Government; specifying the quantity purchased by each individual; the locality in which such land was situated; the amount paid for each lot, and whether such amount was fixed by valuation or not; and the names of the purchasers.

Debate ensued.

Question put and passed.

21. Attendance of Member of Legislative Council as Witness :—Mr. Parkes moved, That the following Message be carried to the Legislative Council :—

Mr. PRESIDENT,

The Legislative Assembly, having appointed a Select Committee to inquire into the condition of the Working Classes of the Metropolis, and that Committee being desirous to examine the Honorable James Robert Wilshire, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.

*Legislative Assembly Chamber,  
Sydney, 7 February, 1860.*

Speaker.

Question put and passed.

22. Reward Fund for Discovery of New Gold Fields :—Mr. Hoskins moved, pursuant to amended notice, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year the sum of “£1,500,” as a Reward Fund for the discovery of new “Gold Fields.”

Debate ensued.

Mr. Irving moved, that the question be amended by the omission of the figures “1,500,” with a view to the insertion in their place of the figures “3,000.”

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

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

The

The House divided.

Ayes, 28.		Noes, 7.	
Mr. Robertson,	Mr. Weekes,	Mr. Black,	} Tellers.
Mr. Cooper,	Mr. Russell,	Mr. Forster,	
Mr. McArthur,	Mr. Laycock,	Mr. Samuel,	
Mr. Lyons,	Mr. Hodgson,	Mr. Piddington,	
Mr. Wisdom,	Mr. Irving,	Mr. Watt,	
Mr. Wilson,	Mr. Pennell,	Mr. Byrnes,	
Mr. Wild,	Mr. G. Lang,	Mr. Jones,	
Mr. Hurley,	Mr. Hoskins,		
Mr. Parkes,	Mr. Cape,		
Mr. Egan,	Mr. Loder,		
Mr. Lucas,	Mr. Plunkett,		
Mr. Terry,	Mr. Faucett,		
Mr. Jenkins,	Mr. Cummings,		
Mr. Roberts,	Mr. Morris,		

Whereupon Question put, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year the sum of £3,000, as a Reward Fund for the discovery of new "Gold Fields."

The House divided.

Ayes, 28.		Noes, 7.	
Mr. Morris,	Mr. Cape,	Mr. Black,	} Tellers.
Mr. Cummings,	Mr. Hoskins,	Mr. Forster,	
Mr. McArthur,	Mr. G. Lang,	Mr. Samuel,	
Mr. Lyons,	Mr. Pennell,	Mr. Piddington,	
Mr. Wisdom,	Mr. Irving,	Mr. Watt,	
Mr. Wilson,	Mr. Weekes,	Mr. Jones,	
Mr. Wild,	Mr. Roberts,	Mr. Byrnes,	
Mr. Hurley,	Mr. Jenkins,		
Mr. Parkes,	Mr. Russell,		
Mr. Egan,	Mr. Hodgson,		
Mr. Lucas,	Mr. Laycock,		
Mr. Terry,	Mr. Faucett,		
Mr. Plunkett,	Mr. Robertson,		
Mr. Loder,	Mr. Cooper,		

23. Additional Paid Police Magistrate for Sydney :—Mr. Weekes moved, pursuant to notice, That, in the opinion of this House, from the large number of Magistrates resident in the District of Sydney, and their regular attendance at the Central Police Office, there is no necessity, at the present time, to put the country to the expense of an additional paid Police Magistrate for this City.  
Debate ensued.

And the House continuing to sit till after midnight :—

WEDNESDAY, 8 FEBRUARY, 1860, A.M.

Question put.

The House divided.

Ayes, 11.		Noes, 16.	
Mr. Wisdom,	Mr. Dalley,	Mr. Samuel,	Mr. Hurley,
Mr. Egan,	Mr. Robertson,	Mr. Morris,	Mr. Hieronimus,
Mr. Weekes,	Mr. G. Lang,	Mr. Black,	Mr. Hoskins,
Mr. Lucas,		Mr. Forster,	Mr. Macleay,
Mr. Gordon,		Mr. Lyons,	Mr. Faucett,
Mr. Martin,		Mr. Russell,	Mr. Loder,
Mr. Atkinson,		Mr. Cape,	Mr. McArthur,
Mr. Cummings,		Mr. Parkes,	Mr. Roberts,

24. Charles Skerrett :—Mr. Wisdom moved, pursuant to amended Notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the Depositions in the case of Charles Skerrett, who was recently committed for cattle stealing by the Bench of Magistrates at Wingham; in order that these Documents may be referred to the Select Committee now sitting on Skerrett's case.  
Question put and passed.
25. Protracted Litigation in the Supreme Court :—Mr. Piddington moved, pursuant to notice standing in the name of Mr. Hodgson, That the Petition of Messrs. P. N. Russell and Co., relative to Protracted Litigation in the Supreme Court, presented by Mr. Hodgson on the 3rd instant, be printed.  
Question put and passed.  
Ordered to be printed.
26. Post Office, Gundaroo :—Mr. Parkes moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Postmaster General and the Inhabitants of Gundaroo, relative to the site of the Post Office in that District.  
Question put and passed.

## 27. Postponements :—

- (1.) Mr. Morris postponed the motion, standing in the name of Mr. Oxley No. 16 on the Notice Paper for to-day, until Tuesday next.
- (2.) Mr. Morris postponed the motion, standing in the name of Mr. Dalley No. 17 on the Notice Paper for to-day, until Friday next.
- (3.) The second reading of the Freight and Charges Bill, postponed, on motion of Mr. Parkes, until Friday next.

## 28. Parramatta Water Protection Bill, on motion of Mr. Byrnes, read a second time; Ordered to be considered in Committee on Friday next.

## 29. Postponements :—

- (1.) The further consideration in Committee of the Newcastle Wallsend Coal Company's Railway Bill postponed, on motion of Mr. Robertson, until to-morrow.
- (2.) The second reading of the Tanners' and Carriers' Bill postponed, on motion of Mr. Parkes, until Tuesday next.
- (3.) The second reading of the Wesley College Bill postponed, on motion of Mr. Byrnes, until Tuesday next.

The House adjourned at five minutes after One o'clock, A.M., until Three o'clock, P.M., this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, FEBRUARY 8.

*Contingent Notice of Motion :—*

1. DR. LANG to move (*on the proposal of the Honorable the Colonial Secretary to move the second reading of the Elective Legislative Council Bill*),—That, in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Elective Legislative Council Bill; second reading.
2. Ways and Means; Resumption of the Committee.
3. Supply; Resumption of the Committee.
4. Seamen's Engagement Amendment Bill; second reading.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HOSKINS to move, That, upon every occasion when this House is counted out, the names of Honorable Members present be inserted in the Records of this Assembly.
2. MR. DARVALL to move, That the Petitions presented by him, in favor of State Aid to the Church, on the 13th and 14th October, on the 16th December, and on the 7th February, be printed.
3. MR. MACLEAY to move, That the Petition of Richard Brett and Richard Heather, presented by him on the 7th instant, be printed.
4. MR. PARKES to move, That the Petition of William Henry, presented by him on the 7th instant, be printed and referred for consideration to the Committee now sitting on Petitioners' Grievances.
5. MR. PARKES to move, That the Petition from the Sydney Chamber of Commerce, presented by him on the 7th instant, be printed.
6. MR. PARKES to move, That the Petition from Thomas S. Rowntree, presented by him on the 7th instant, be printed.

## ORDER OF THE DAY :—

1. Newcastle Wallsend Coal Company's Railway Bill; to be further considered in Committee.

*Questions :—*

1. MR. PIDDINGTON to ask THE SECRETARY FOR LANDS,—When the Report of the Survey of the Valley of the Grose will be laid upon the Table of this House?
2. MR. LAYCOCK to ask THE SECRETARY FOR LANDS,—Whether the Government intend to discontinue issuing Splitters' Licenses for Cumberland, as the Lands are becoming rapidly denuded of the most valuable descriptions of Timber; if so, when?
3. MR. LAYCOCK to ask THE SECRETARY FOR LANDS,—Whether the Government contemplate offering for Sale the land lately surveyed near Vinegar Hill, Windsor Road; and, if so, when?

THURSDAY, FEBRUARY 9.

## GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Harbor, Pilotage, and Navigation Bill; second reading.

## OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. BYRNES to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.

ORDER.

## ORDER OF THE DAY:—

1. Reward Fund for Discovery of New Gold Fields; consideration in Committee of Address for.

FRIDAY, FEBRUARY 10.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. CAPE to move, That there be laid upon the Table of this House, a copy of any Correspondence between the Board of National Education and the Government, on the subject of an addition to the Funds required for the purposes of National Education for the year 1860.
2. MR. HODGSON to move,—
  - (1.) That in the opinion of this House the suppression of a Despatch from The Secretary of State for the Colonies, intimating the suspension of Her Majesty's Assent to an Act of the Legislature of the Colony, is disrespectful to this House, destructive of the harmonious working of Responsible Government, and calculated to impair the confidence which it is essential should exist between the Legislature and the Executive.
  - (2.) That this House having lately discovered, with regret, that the Despatch of Earl Carnarvon, dated April 9th, 1859, relative to the Assessment on Runs Act, was not communicated to this House on its arrival in this Colony, feels bound to express its condemnation of a course of proceeding which has had the effect of keeping this House and the Colony in ignorance of the real position of the above Act, and the intention of the Imperial Government respecting it, thereby prejudicing most materially a large and important class of the community in the assertion of their just rights.
  - (3.) That this House is constrained to add, as its deliberate opinion, that the Despatch in question was withheld with a sinister object.
  - (4.) That the above Resolutions be embodied in an Address to His Excellency the Governor General.
3. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Government of this Colony and the Imperial Government, relative to the allowance by Her Majesty of the Act to Incorporate St. John's College.
4. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
5. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
6. MR. GORDON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence, including Petitions, &c., addressed to the Government, or from the Government to any person or persons, on the subject of Dungog being proclaimed a place where a District Court should be held in the Northern District.
7. MR. LORD to move, That the Petition relative to the establishment of a Court of Quarter Sessions at Molong, presented by him on the 7th instant, be printed.
8. REV. DR. LANG to move for leave to introduce a Bill to Incorporate the Presbyterian College.
9. MR. DALLEY to move for leave to bring in a Bill to amend the Hawkesbury Benevolent Society's Act of Incorporation.
10. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates, a sum not exceeding £250 each, as Salaries for the Clergymen resident on the several Gold Fields of New South Wales.
11. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the following sums for the erection of Bridges:—
  - £6,000 for the erection of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst to Wagga Wagga and Balranald.
  - £300 for the erection of a Bridge across Ugowra Creek.
  - £300 for the erection of a Bridge across the Belubula Creek on the main road from Bathurst to Nanamai and Balranald.
  - £300 for a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala.

12. MR. DALLEY to move, That there be laid upon the Table of this House copies of all correspondence between Mr. Andrew Lenahan and the Government, with reference to a claim of Mr. Lenahan's for works performed at Government House.

ORDERS OF THE DAY:—

1. Necropolis Act Extension Bill; second reading.
2. Law of Primogeniture Abolition Bill; second reading.
3. Importation of Cattle Regulation Bill; second reading.
4. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, That this Bill be now read a second time.
5. Freight and Charges Bill; second reading.
6. Parramatta Water Protection Bill; to be considered in Committee.

Questions:—

1. MR. HODGSON to ask THE COLONIAL TREASURER,—What amount has been paid into the Treasury, under the provisions of the increased Assessment on Runs Act?
2. MR. HODGSON to ask THE COLONIAL TREASURER,—Whether there is any Lantern in the Colony at present suitable for the proposed Lighthouse on Point Stephens; and, if not, whether there is any objection on the part of the Government to send to England for a Lantern by the February Mail?

TUESDAY, FEBRUARY 14.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. HODGSON to move, That the following portions of the Return to the Address respecting Lieutenant Seaver, R.N., laid upon the Table of this House by The Honorable the Colonial Treasurer, on the 24th ultimo, be printed, namely,—Pages 17, 27, 33 to 36, 38, 39, 92 to 94, 173 to 178, 267, 268, 309 to 313, 332 to 337, 339 to 340, 344, 349, 352, and 357.
2. MR. WILSON to move, That the Report of the Select Committee appointed to inquire into the case of William Sutherland, be now adopted.
3. MR. PARKES to move, That an Address to His Excellency the Governor General be adopted, embodying the following recommendations, for the greater publicity of the Proceedings of the Legislature and Government of this Colony:—
  - (1) That all Public Documents issued from the Government Printing Office should have affixed to them the price per single copy, calculated on the lowest cost of production.
  - (2) That a respectable bookseller should be appointed in Sydney for the sale of such documents, to be paid by a commission on sales, and that he should be furnished with monthly lists of such documents, for exhibition in his place of business and otherwise.
  - (3) That these arrangements, together with a list of the documents on sale, and their price, should be notified at least once a month, in one or more of the daily papers.
4. MR. TERRY to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the ensuing year, the sum of £7,000, for a Court House and Gaol at Mudgee.
5. MR. JENKINS to move, That this House having had under consideration the following Petitions, presented on January 24th and 25th, in favor of Universal Education in this Colony, and the retention of the duties on Tea and Sugar, to provide a fund for the carrying out of the same, viz.:—
  1. Petition from certain Female Residents of Sydney;
  2. Petition from the Judges, Professors of the University, Clergymen, Professional Men, Bankers, Merchants, and other Citizens of Sydney;
  3. Petition from Members of Sydney Mechanics' School of Arts,—Resolves—
    - (1.) That it is essential to the political stability and social advancement of this Colony, that the advantages of Primary Education should be universally diffused.
    - (2.) That large means are required to carry out successfully such measures as will secure Universal Education in this Colony.
    - (3.) That so soon as the exigencies of the Government will permit, the duties upon Tea and Sugar ought to cease to form a portion of the Consolidated Revenue Fund.
    - (4.) That the duties upon Tea and Sugar ought to be applied to the creation and maintenance of a Fund for the promotion of Public Education.
    - (5.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.
6. MR. DARVALL to move for leave to bring in a Bill to amend the law regulating Public Ferries.
7. MR. OXLEY to move,—
  - (1.) That the hour, as at present fixed, for the arrival in Sydney of the Mails from the Southern Districts, causes great and unnecessary inconvenience to the inhabitants of that portion of the Colony.
  - (2.) That an Address embodying the above Resolution be presented to His Excellency the Governor General.

## ORDERS OF THE DAY:—

1. Revenue and Audit Bill; second reading.
2. Tanners' and Curriers' Bill; second reading.
3. Wesley College Bill; second reading.

## Question:—

1. Mr. TERRY to ask THE SECRETARY FOR LANDS,—

(1.) If the Government is aware that a serious injury is being sustained to a Government Road known as Rickety-street, leading from the Cook's River Road to the Botany Road, by reason of embankments and cuttings of recent formation, by a private individual, along Shay's Creek, thereby flooding the public road, and causing it to be utterly impassable?

(2.) And if so, is it the intention of the Government to take, or cause to be taken, proceedings to prevent further destruction of public property, as the public money already spent on this locality has been thrown away by reason of the above injury?

## WEDNESDAY, FEBRUARY 15.

## GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. Mr. FORSTER to move for leave to introduce a Bill to abolish State Aid to Religion.
2. Mr. FORSTER to move for leave to introduce a Bill to alter and amend the Law relating to the Salaries of certain Public Officers.

## THURSDAY, FEBRUARY 16.

## GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. Mr. BLACK to move for leave to introduce a Bill to provide for the Sale and Management of Public Lands.
2. Mr. BLACK to move for leave to introduce a Bill to establish a Tax upon Lands.

## FRIDAY, FEBRUARY 17.

## OTHER BUSINESS—ORDERS OF THE DAY:—

1. Capital Punishments Abolition Bill; second reading.
2. Resumption of the adjourned Debate on Dr. Lang's motion,—
  - "(1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
  - "(2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."

## TUESDAY, FEBRUARY 21.

## OTHER BUSINESS—NOTICE OF MOTION:—

1. Mr. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital

## FRIDAY, MARCH 2.

## OTHER BUSINESS—ORDER OF THE DAY:—

1. Lien on Wool Act Continuation Bill; second reading.

T. A. MURRAY,  
Speaker.

No. 57.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 8 FEBRUARY, 1860.

There being only Eighteen Members present, exclusive of the Speaker, namely,—Mr. Black, Mr. Clements, Mr. Forster, Mr. Hoskins, Mr. Hyeronimus, Mr. Laycock, Mr. Loder, Mr. Macleay, Mr. Morris, Mr. Nott, Mr. Parkes, Mr. Piddington, Mr. Plunkett, Mr. Robertson, Mr. Samuel, Mr. Terry, Mr. Weekes, and Mr. Wisdom,—the Speaker took the Chair and adjourned the House at half-past Three o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, FEBRUARY 9.

*Contingent Notice of Motion :—*

1. DR. LANG to move (*on the proposal of the Honorable the Colonial Secretary to move the second reading of the Elective Legislative Council Bill*),—That, in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony.

GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Harbor, Pilotage, and Navigation Bill; second reading.
2. Elective Legislative Council Bill; second reading.
3. Ways and Means; Resumption of the Committee.
4. Supply; Resumption of the Committee.
5. Seamen's Engagement Amendment Bill; second reading.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. BYRNES to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
2. MR. HOSKINS to move, That, upon every occasion when this House is counted out, the names of Honorable Members present be inserted in the Records of this Assembly.
3. MR. DARVALL to move, That the Petitions presented by him, in favor of State Aid to the Church, on the 13th and 14th October, on the 10th December, and on the 7th February, be printed.
4. MR. MACLEAY to move, That the Petition of Richard Brett and Richard Heather, presented by him on the 7th instant, be printed.
5. MR. PARKES to move, That the Petition of William Henry, presented by him on the 7th instant, be printed and referred for consideration to the Committee now sitting on Petitioners' Grievances.
6. MR. PARKES to move, That the Petition from the Sydney Chamber of Commerce, presented by him on the 7th instant, be printed.
7. MR. PARKES to move, That the Petition from Thomas S. Rowntree, presented by him on the 7th instant, be printed.

ORDERS OF THE DAY :—

1. Reward Fund for Discovery of New Gold Fields; consideration in Committee of Address for.
2. Newcastle Wallsend Coal Company's Railway Bill; to be further considered in Committee.

*Questions :—*

1. MR. PIDDINGTON to ask THE SECRETARY FOR LANDS,—When the Report of the Survey of the Valley of the Grose will be laid upon the Table of this House?
2. MR. LAYCOCK to ask THE SECRETARY FOR LANDS,—Whether the Government intend to discontinue issuing Splitters' Licenses for Cumberland, as the Lands are becoming rapidly denuded of the most valuable descriptions of Timber; if so, when?
3. MR. LAYCOCK to ask THE SECRETARY FOR LANDS,—Whether the Government contemplate offering for sale the Land lately surveyed near Vinegar Hill, Windsor Road; and, if so, when?

FRIDAY,

FRIDAY, FEBRUARY 10.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. CAPE to move, That there be laid upon the Table of this House, a copy of any Correspondence between the Board of National Education and the Government, on the subject of an addition to the Funds required for the purposes of National Education for the year 1860.
2. MR. HODGSON to move,—
  - (1.) That in the opinion of this House the suppression of a Despatch from The Secretary of State for the Colonies, intimating the suspension of Her Majesty's Assent to an Act of the Legislature of the Colony, is disrespectful to this House, destructive of the harmonious working of Responsible Government, and calculated to impair the confidence which it is essential should exist between the Legislature and the Executive.
  - (2.) That this House having lately discovered, with regret, that the Despatch of Earl Carnarvon, dated April 9th, 1859, relative to the Assessment on Runs Act, was not communicated to this House on its arrival in this Colony, feels bound to express its condemnation of a course of proceeding which has had the effect of keeping this House and the Colony in ignorance of the real position of the above Act, and the intention of the Imperial Government respecting it, thereby prejudicing most materially a large and important class of the community in the assertion of their just rights.
  - (3.) That this House is constrained to add, as its deliberate opinion, that the Despatch in question was withheld with a sinister object.
  - (4.) That the above Resolutions be embodied in an Address to His Excellency the Governor General.
3. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Government of this Colony and the Imperial Government, relative to the allowance by Her Majesty of the Act to Incorporate St. John's College.
4. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
5. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
6. MR. GORDON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence, including Petitions, &c., addressed to the Government, or from the Government to any person or persons, on the subject of Dungog being proclaimed a place where a District Court should be held in the Northern District.
7. MR. LORD to move, That the Petition relative to the establishment of a Court of Quarter Sessions at Molong, presented by him on the 7th instant, be printed.
8. REV. DR. LANG to move for leave to introduce a Bill to Incorporate the Presbyterian College.
9. MR. DALLEY to move for leave to bring in a Bill to amend the Hawkesbury Benevolent Society's Act of Incorporation.
10. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates, a sum not exceeding £250 each, as Salaries for the Clergymen resident on the several Gold Fields of New South Wales.
11. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the following sums for the erection of Bridges :—
  - £6,000 for the erection of a Bridge across the Lachlan River at Nanamoi, on the main road from Bathurst to Wagga Wagga and Balranald.
  - £300 for the erection of a Bridge across Ugowra Creek.
  - £800 for the erection of a Bridge across the Belubula Creek on the main road from Bathurst to Nanamoi and Balranald.
  - £300 for a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala.
12. MR. DALLEY to move, That there be laid upon the Table of this House copies of all correspondence between Mr. Andrew Lenahan and the Government, with reference to a claim of Mr. Lenahan's for works performed at Government House.

## ORDERS OF THE DAY :—

1. Necropolis Act Extension Bill ; second reading.
2. Law of Primogeniture Abolition Bill ; second reading.
3. Importation of Cattle Regulation Bill ; second reading.



4. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."
5. Freight and Charges Bill; second reading.
6. Parramatta Water Protection Bill; to be considered in Committee.

**Questions :—**

1. MR. HODGSON to ask THE COLONIAL TREASURER,—What amount has been paid into the Treasury, under the provisions of the increased Assessment on Runs Act?
- 2: MR. HODGSON to ask THE COLONIAL TREASURER,—Whether there is any Lantern in the Colony at present suitable for the proposed Lighthouse on Point Stephens; and, if not, whether there is any objection on the part of the Government to send to England for a Lantern by the February Mail?

**TUESDAY, FEBRUARY 14.**

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. MR. HODGSON to move, That the following portions of the Return to the Address respecting Lieutenant Seaver, R.N., laid upon the Table of this House by The Honorable the Colonial Treasurer, on the 24th ultimo, be printed, namely,—Pages 17, 27, 33 to 36, 38, 39, 92 to 94, 173 to 178, 267, 268, 300 to 313, 332 to 337, 339 to 340, 344, 349, 352, and 357.
2. MR. WILSON to move, That the Report of the Select Committee appointed to inquire into the case of William Sutherland, be now adopted.
3. MR. PARKES to move, That an Address to His Excellency the Governor General be adopted, embodying the following recommendations, for the greater publicity of the Proceedings of the Legislature and Government of this Colony :—
  - (1.) That all Public Documents issued from the Government Printing Office should have affixed to them the price per single copy, calculated on the lowest cost of production.
  - (2.) That a respectable bookseller should be appointed in Sydney for the sale of such documents, to be paid by a commission on sales, and that he should be furnished with monthly lists of such documents, for exhibition in his place of business and otherwise.
  - (3.) That these arrangements, together with a list of the documents on sale, and their price, should be notified at least once a month, in one or more of the daily papers.
4. MR. TERRY to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the ensuing year, the sum of £7,000, for a Court House and Gaol at Mudgee.
5. MR. JENKINS to move, That this House having had under consideration the following Petitions, presented on January 24th and 25th, in favor of Universal Education in this Colony, and the retention of the duties on Tea and Sugar, to provide a fund for the carrying out of the same, viz. :—
  1. Petition from certain Female Residents of Sydney;
  2. Petition from the Judges, Professors of the University, Clergymen, Professional Men, Bankers, Merchants, and other Citizens of Sydney;
  3. Petition from Members of Sydney Mechanics' School of Arts,—Resolves—
    - (1.) That it is essential to the political stability and social advancement of this Colony, that the advantages of Primary Education should be universally diffused.
    - (2.) That large means are required to carry out successfully such measures as will secure Universal Education in this Colony.
    - (3.) That so soon as the exigencies of the Government will permit, the duties upon Tea and Sugar ought to cease to form a portion of the Consolidated Revenue Fund.
    - (4.) That the duties upon Tea and Sugar ought to be applied to the creation and maintenance of a Fund for the promotion of Public Education.
    - (5.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.
6. MR. DARVALL to move for leave to bring in a Bill to amend the law regulating Public Ferries.
7. MR. OXLEY to move,—
  - (1.) That the hour, as at present fixed, for the arrival in Sydney of the Mails from the Southern Districts, causes great and unnecessary inconvenience to the inhabitants of that portion of the Colony.
  - (2.) That an Address embodying the above Resolution be presented to His Excellency the Governor General.

**ORDERS OF THE DAY :—**

1. Revenue and Audit Bill; second reading.
2. Tanners' and Curriers' Bill; second reading.
3. Wesley College Bill; second reading.

*Question :—*

*Question :—*

## 1. MR. TERRY to ask THE SECRETARY FOR LANDS,—

(1.) If the Government is aware that a serious injury is being sustained to a Government Road known as Rickety-street, leading from the Cook's River Road to the Botany Road, by reason of embankments and cuttings of recent formation, by a private individual, along Shay's Creek, thereby flooding the public road, and causing it to be utterly impassable?

(2.) And if so, is it the intention of the Government to take, or cause to be taken, proceedings to prevent further destruction of public property, as the public money already spent on this locality has been thrown away by reason of the above injury?

## WEDNESDAY, FEBRUARY 15.

## GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. FORSTER to move for leave to introduce a Bill to abolish State Aid to Religion.
2. MR. FORSTER to move for leave to introduce a Bill to alter and amend the Law relating to the Salaries of certain Public Officers.

## THURSDAY, FEBRUARY 16.

## GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. BLACK to move for leave to introduce a Bill to provide for the Sale and Management of Public Lands.
2. MR. BLACK to move for leave to introduce a Bill to establish a Tax upon Lands.

## FRIDAY, FEBRUARY 17.

## OTHER BUSINESS—ORDERS OF THE DAY :—

1. Capital Punishments Abolition Bill; second reading.
2. Resumption of the adjourned Debate on Dr. Lang's motion,—
  - "(1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
  - "(2.) That such Committee consist of the following Members, viz. :—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."

## TUESDAY, FEBRUARY 21.

## OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.

## FRIDAY, MARCH 2.

## OTHER BUSINESS—ORDER OF THE DAY :—

1. Lien on Wool Act Continuation Bill; second reading.

T. A. MURRAY,  
*Speaker.*

No. 58.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

THURSDAY, 9 FEBRUARY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Sydney Insurance Company's Act Amendment Bill:—Mr. Weekes, as Chairman, brought up the Report from, and laid upon the Table the evidence taken before, the Select Committee, for whose consideration and report this Bill was referred on the 3rd instant.  
Ordered to be printed.  
Whereupon, on motion of Mr. Weekes, the second reading of this Bill ordered to stand an Order of the Day for Tuesday next.
2. Paper:—Mr. Samuel laid upon the Table a Report on the Royal Mint, dated 14 January, 1860, from the Deputy Master at Sydney.  
Ordered to be printed.
3. Special Roman Catholic Education:—Mr. Weekes presented a Petition from certain Catholics of the District of West Maitland, praying that a portion of the sum voted for National Education, may be specially set apart for Roman Catholic Education.  
Petition received.
4. Papers:—Mr. Black laid upon the Table the following Papers:—  
(1.) Tabular Statement of Lands granted in the Police District of Shoalhaven.  
Ordered to be printed, (*and substituted for the Return to the Address on this subject adopted, on motion of Mr. Garrett, on 7 October, and ordered to be printed on 13 December last.*)  
(2.) Correspondence relative to Disputed Water Right, &c., at Adelong Creek.
5. Edward Farbrother:—Mr. Parkes presented a Petition from Edward Farbrother, of Macquarie-street South, builder, detailing circumstances under which he was arrested and imprisoned, under a warrant from the Sydney Bench, in default of distress for the payment of a small debt.  
Petition received.
6. Interchange of Public Documents:—The Speaker presented to the House a Letter to his address from Sir Charles Nicholson, Bart., (with several Enclosures) relative to applications made by Sir Charles Nicholson to the Speaker of the House of Commons, the Speaker of the Legislative Assembly of Canada, and the Minister of the United States, respectively, for the Interchange of Public Documents.  
Whereupon Mr. Forster moved, That the Letter so presented, together with its several Enclosures, be printed.  
Question put and passed.  
Ordered to be printed.
7. Postponement:—The second reading of the Harbor, Pilotage, and Navigation Bill postponed, on motion of Mr. Samuel, until after the Order of the Day for Supply shall have been disposed of.
8. Elective Legislative Council Bill:—On the Order of the Day for the second reading of this Bill being read,—  
Mr. Forster moved, That this Order of the Day be discharged from the Paper.  
Debate ensued.
9. Messages:—The following Messages from His Excellency the Governor General received and read:—  
(1.) Assent to Newcastle Wallsend Coal Company's Bill:—  
W. DENISON,  
Governor General.

Message No. 21.

A Bill intituled "*An Act to Incorporate the Newcastle Wallsend Coal Company,*" as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,  
Sydney, 8th February, 1860.

(2.)

(2.) Additional Estimate for 1860 :—

W. DENISON,

*Governor General.*

*Message No. 22.*

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Governor General herewith submits for the consideration of the Legislative Assembly, an Additional Estimate of Expenditure for the year 1860, in which provision only is made for the performance of the duties of the Office of Chief Justice, during the absence, on leave, of Sir Alfred Stephen, at the rate recommended by the Assembly.

*Government House,*

*9 February, 1860.*

Message No. 22 ordered to be printed, and, together with the accompanying Estimate, taken into consideration in Committee of Supply.

10. Elective Legislative Council Bill:—The Debate upon Mr. Forster's motion for the discharge from the Paper of the Order of the Day for the second reading of this Bill, interrupted by the foregoing Messages, resumed.

Question put and passed.

Mr. Forster then moved, That leave be granted to withdraw this Bill.

Debate ensued.

Question put and passed.

Whereupon,—the leave originally granted to introduce this Bill having been read by the Clerk, by direction of the Speaker, from the Votes and Proceedings of the 1st December last,—

Mr. Forster moved, That he have leave to present another Bill, without alteration of Title, instead of the Bill so withdrawn.

Question put and passed,—*Ordered*, That the Mover and Seconder prepare and bring in such new Bill.

11. Postponements :—

(1.) The Resumption of the Committee of Ways and Means postponed, on motion of Mr. Samuel, until Wednesday next.

(2.) The Resumption of the Committee of Supply postponed, on motion of Mr. Samuel, until the Order of the Day for the second reading of the Seamen's Engagement Amendment Bill shall have been disposed of.

12. Seamen's Engagement Amendment Bill, on motion of Mr. Samuel, read a second time.

Whereupon, on motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for the consideration of this Bill.

The Chairman having reported the Bill with amendments, Mr. Samuel moved, "That" this report be now adopted.

Mr. Parkes moved, That the Question be amended by the omission of all the words following the word "That," in order to the insertion in their place of the words "the Bill be re-committed, with a view to the further consideration of Clauses 1 and 3."

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 the place of the words omitted, be so inserted,—put and passed.

Question then,—That the Bill be re-committed, with a view to the further consideration of clauses 1 and 3,—put and passed.

Whereupon the Speaker left the Chair, and the House resolved itself into a Committee of the whole accordingly.

The Chairman having reported the Bill with further amendments, the House adopted the same, and ordered the third reading of the Bill, as so reported, to stand an Order of the Day for Wednesday next.

13. Supply:—Mr. Samuel moved, That the Speaker now leave the Chair, and the House resolve itself into a Committee of the whole, further to consider the supply to be granted to Her Majesty for the service of the year 1859-60.

Debate ensued.

Question put and passed.

Whereupon the Speaker left the Chair, and the House resolved itself into such Committee.

And the Committee continuing to sit till after midnight :—

*FRIDAY, 10 FEBRUARY, 1860. A.M.*

The Chairman obtained leave to sit again on Wednesday next, and reported the following Resolution :—

*Further Supplementary Estimate for 1859.*

#### VI.—SECRETARY FOR LANDS AND PUBLIC WORKS.

(47.) Resolved, That in lieu of £3,465 for repairs to Tank Stream, from Bridge-street to Circular Quay, granted to Her Majesty in Resolution of Supply, No. 30, on 1st December, 1859, for the Supplementary Service of that year, (as reported in the Votes and Proceedings of this Session, No. 35,) there be granted to Her Majesty for the same year, under authority of the Governor General's Message, No. 17, of 31 January,

January, 1860, the like sum for Repairs to the Tank Stream, between Hunter and Bridge Streets, being the portion in the rear of the Buildings recently erected in that locality.

Mr. Samuel then moved, That this House do now adopt this Resolution.

Question put and passed.

14. Adjournment:—Mr. Terry moved, That this House do now adjourn until Three o'clock, P.M., this day.

Debate ensued.

Question put and passed.

Whereupon the House adjourned, at half-past Twelve o'clock, A.M., until Three o'clock, P.M., this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, FEBRUARY 10.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. CAPE to move, That there be laid upon the Table of this House, a copy of any Correspondence between the Board of National Education and the Government, on the subject of an addition to the Funds required for the purposes of National Education for the year 1860.
2. MR. HODGSON to move,—
  - (1) That in the opinion of this House the suppression of a Despatch from The Secretary of State for the Colonies, intimating the suspension of Her Majesty's Assent to an Act of the Legislature of the Colony, is disrespectful to this House, destructive of the harmonious working of Responsible Government, and calculated to impair the confidence which it is essential should exist between the Legislature and the Executive.
  - (2.) That this House having lately discovered, with regret, that the Despatch of Earl Carnarvon, dated April 9th, 1859, relative to the Assessment on Runs Act, was not communicated to this House on its arrival in this Colony, feels bound to express its condemnation of a course of proceeding which has had the effect of keeping this House and the Colony in ignorance of the real position of the above Act, and the intention of the Imperial Government respecting it, thereby prejudicing most materially a large and important class of the community in the assertion of their just rights.
  - (3.) That this House is constrained to add, as its deliberate opinion, that the Despatch in question was withheld with a sinister object.
  - (4.) That the above Resolutions be embodied in an Address to His Excellency the Governor General.
3. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Government of this Colony and the Imperial Government, relative to the allowance by Her Majesty of the Act to Incorporate St. John's College.
4. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
5. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
6. MR. GORDON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence, including Petitions, &c., addressed to the Government, or from the Government to any person or persons, on the subject of Dungog being proclaimed a place where a District Court should be held in the Northern District.
7. MR. LORD to move, That the Petition relative to the establishment of a Court of Quarter Sessions at Molong, presented by him on the 7th instant, be printed.
8. REV. DR. LANG to move for leave to introduce a Bill to Incorporate the Presbyterian College.
9. MR. DAVLEY to move for leave to bring in a Bill to amend the Hawkesbury Benevolent Society's Act of Incorporation.
10. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates, a sum not exceeding £250 each, as Salaries for the Clergymen resident on the several Gold Fields of New South Wales.

11. **MR. CUMMINGS** to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the following sums for the erection of Bridges:—  
 £6,000 for the erection of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst to Wagga Wagga and Balranald.  
 £300 for the erection of a Bridge across Ugowra Creek.  
 £300 for the erection of a Bridge across the Belubula Creek on the main road from Bathurst to Nanamai and Balranald.  
 £300 for a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala.
12. **MR. DALLEY** to move, That there be laid upon the Table of this House copies of all correspondence between Mr. Andrew Lenahan and the Government, with reference to a claim of Mr. Lenahan's for works performed at Government House.
13. **MR. LAYCOCK** to move, That there be laid upon the Table of this House, a Return of the number of Splitters' Licenses issued for the County of Cumberland, during the year 1859, with the amount of revenue derivable therefrom.
14. **MR. BYRNES** to move, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
15. **MR. HOSKINS** to move, That, upon every occasion when this House is counted out, the names of Honorable Members present be inserted in the Records of this Assembly.
16. **MR. DARVALL** to move, That the Petitions presented by him, in favor of State Aid to the Church, on the 13th and 14th October, on the 16th December, and on the 7th February, be printed.
17. **MR. MACLEAY** to move, That the Petition of Richard Brett and Richard Heather, presented by him on the 7th instant, be printed.
18. **MR. PARKES** to move, That the Petition of William Henry, presented by him on the 7th instant, be printed and referred for consideration to the Committee now sitting on Petitioners' Grievances.
19. **MR. PARKES** to move, That the Petition from the Sydney Chamber of Commerce, presented by him on the 7th instant, be printed.
20. **MR. PARKES** to move, That the Petition from Thomas S. Rowntree, presented by him on the 7th instant, be printed.

**ORDERS OF THE DAY:—**

1. Necropolis Act Extension Bill; second reading.
2. Law of Primogeniture Abolition Bill; second reading.
3. Importation of Cattle Regulation Bill; second reading.
4. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."
5. Freight and Charges Bill; second reading.
6. Parramatta Water Protection Bill; to be considered in Committee.
7. Reward Fund for Discovery of New Gold Fields; consideration in Committee of Address for.
8. Newcastle Wallsend Coal Company's Railway Bill; to be further considered in Committee.

**Questions:—**

1. **MR. HODGSON** to ask **THE COLONIAL TREASURER**,—What amount has been paid into the Treasury, under the provisions of the increased Assessment on Runs Act?
2. **MR. HODGSON** to ask **THE COLONIAL TREASURER**,—Whether there is any Lantern in the Colony at present suitable for the proposed Lighthouse on Point Stephens; and, if not, whether there is any objection on the part of the Government to send to England for a Lantern by the February Mail?
3. **MR. HYERONIMUS** to ask **THE SECRETARY FOR LANDS**,—If it is the intention of the Government to place any sum of money upon the Estimates this year for the erection of a Bridge or Punt across the Macquarie River, at Wellington?
4. **MR. EGAN** to ask **THE SECRETARY FOR LANDS**, in the absence of **THE SECRETARY FOR PUBLIC WORKS**,—Whether, in consequence of the discovery of gold in the Maneroo District, and the great number of persons leaving for Twofold Bay for the purpose of proceeding to the Gold Field, it is the intention of the Government to place on the Supplementary Estimate for 1860 the sum recommended by the Engineer-in-Chief for Harbors and Rivers for the purpose of erecting a Wharf at Eden—which, when finished, would afford accommodation for ships of the largest tonnage?
5. **MR. WISDOM** to ask **THE COLONIAL SECRETARY**,—Whether, as the present is likely to be a long Session, it is the intention of the Government to bring in a Bill to provide for the abolition of the Gold Export Duty?

**TUESDAY, FEBRUARY 14.**

**OTHER BUSINESS—NOTICES OF MOTION:—**

1. **MR. HODGSON** to move, That the following portions of the Return to the Address respecting Lieutenant Scaver, R.N., laid upon the Table of this House by The Honorable the Colonial Treasurer, on the 24th ultimo, be printed, namely,—Pages 17, 27, 33 to 36, 38, 50, 92 to 94, 173 to 178, 267, 268, 300 to 313, 332 to 337, 339 to 340, 344, 349, 352, and 357. 2.

2. MR. WILSON to move, That the Report of the Select Committee appointed to inquire into the case of William Sutherland be now adopted.
3. MR. PARKES to move, That an Address to His Excellency the Governor General be adopted, embodying the following recommendations, for the greater publicity of the Proceedings of the Legislature and Government of this Colony :—
  - (1.) That all Public Documents issued from the Government Printing Office should have affixed to them the price per single copy, calculated on the lowest cost of production.
  - (2.) That a respectable bookseller should be appointed in Sydney for the sale of such documents, to be paid by a commission on sales, and that he should be furnished with monthly lists of such documents, for exhibition in his place of business and otherwise.
  - (3.) That these arrangements, together with a list of the documents on sale, and their price, should be notified at least once a month, in one or more of the daily papers.
4. MR. TERRY to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the ensuing year, the sum of £7,000, for a Court House and Gaol at Mudgee.
5. MR. JENKINS to move, That this House having had under consideration the following Petitions, presented on January 24th and 25th, in favor of Universal Education in this Colony, and the retention of the duties on Tea and Sugar, to provide a fund for the carrying out of the same, viz. :—
  1. Petition from certain Female Residents of Sydney ;
  2. Petition from the Judges, Professors of the University, Clergymen, Professional Men, Bankers, Merchants, and other Citizens of Sydney ;
  3. Petition from Members of Sydney Mechanics' School of Arts,—Resolves—
    - (1.) That it is essential to the political stability and social advancement of this Colony, that the advantages of Primary Education should be universally diffused.
    - (2.) That large means are required to carry out successfully such measures as will secure Universal Education in this Colony.
    - (3.) That so soon as the exigencies of the Government will permit, the duties upon Tea and Sugar ought to cease to form a portion of the Consolidated Revenue Fund.
    - (4.) That the duties upon Tea and Sugar ought to be applied to the creation and maintenance of a Fund for the promotion of Public Education.
    - (5.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.
6. MR. DARVALL to move for leave to bring in a Bill to amend the law regulating Public Ferries.
7. MR. OXLEY to move,—
  - (1.) That the hour, as at present fixed, for the arrival in Sydney of the Mails from the Southern Districts, causes great and unnecessary inconvenience to the inhabitants of that portion of the Colony.
  - (2.) That an Address embodying the above Resolution be presented to His Excellency the Governor General.
8. MR. DARVALL to move for leave to introduce a Bill to amend the Law regulating Bank Returns and Abstracts.
9. MR. DICKSON to move,—
  - (1.) That a Select Committee be appointed to inquire into and report on the allegations contained in the Petition of the Inhabitants of Maitland, having reference to Pasture Reserves, presented to this House on the 31st January ; and that such Committee have power to send for persons and papers.
  - (2.) That the Committee consist of the following Members :—Mr. Black, Mr. Faucett, Mr. Jones, Mr. Weekes, Mr. Close, Mr. Cape, Mr. Robertson, Mr. Arnold, Mr. Wisdom, and the Mover.
10. MR. WEEKES to move, That the Petition respecting Special Roman Catholic Education, presented by him on the 9th February, be printed.
11. MR. DARVALL to move, that the Petition from the Churchwardens of St. Andrew's, presented by him on the 25th January, be now taken into consideration.

#### ORDERS OF THE DAY :—

1. Revenue and Audit Bill ; second reading.
2. Tanners' and Carriers' Bill ; second reading.
3. Wesley College Bill ; second reading.
4. Sydney Insurance Company's Act Amendment Bill ; second reading.

#### Questions :—

1. MR. TERRY to ask THE SECRETARY FOR LANDS,—
  - (1.) If the Government is aware that a serious injury is being sustained to a Government Road known as Rickety-street, leading from the Cook's River Road to the Botany Road, by reason of embankments and cuttings of recent formation, by a private individual, along Shay's Creek, thereby flooding the public road, and causing it to be utterly impassable ?
  - (2.) And if so, is it the intention of the Government to take, or cause to be taken, proceedings to prevent further destruction of public property, as the public money already spent on this locality has been thrown away by reason of the above injury ?
2. MR. ASHER to ask THE COLONIAL SECRETARY,—
  - (1.) Whether the Government are aware that a certain Justice of the Peace at Albury is keeping, as his housekeeper, a woman of improper character ; that this woman, although separated from her husband, has had several children during the time she has resided with this Justice of the Peace, and in his house ?
  - (2.) Whether the Government intend making inquiry into the matter ?
  - (3.) Is such a person fit to administer justice ?

3. MR. ASHER *to ask* THE COLONIAL SECRETARY,—Why was the tender for the repair of the piece of road called the Crab-holes, near Albury, not accepted, and whether other tenders are to be called for; also, whether the contract for the Murray Bridge at Albury is signed and completed; and, if not, why not.
4. MR. ASHER *to ask* THE COLONIAL SECRETARY,—
  - (1.) Has any application been made to the Government or the Sheriff for an Assistant Gaoler at Albury?
  - (2.) Has there been any representation made to the Government or the Sheriff, of the number of confines, and the filthy condition of the prisoners in the said Gaol.
  - (3.) What steps do the Government intend to take in the matter.

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WEDNESDAY, FEBRUARY 15.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. FORSTER to move for leave to introduce a Bill to abolish State Aid to Religion.
2. MR. FORSTER to move for leave to introduce a Bill to alter and amend the Law relating to the Salaries of certain Public Officers.

ORDERS OF THE DAY:—

1. Ways and Means; Resumption of the Committee.
2. Seamen's Engagement Amendment Bill; third reading.
3. Supply; Resumption of the Committee.
4. Harbor, Pilotage, and Navigation Bill; second reading.

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THURSDAY, FEBRUARY 16.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. BLACK to move for leave to introduce a Bill to provide for the Sale and Management of Public Lands.
2. MR. BLACK to move for leave to introduce a Bill to establish a Tax upon Lands.

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FRIDAY, FEBRUARY 17.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. PARKES to move,—
  1. That this House has had under its consideration certain Resolutions passed by the late Legislative Assembly, on the 6th of August, 1858, to the following effect:—
 

“(1.) That the experience hitherto gained of Steam Communication between Australia and England, *via* India, has led to general disappointment and dissatisfaction in this Colony.

“(2.) That any new arrangement for the performance of the Mail Service by the India route, though it ensured postal regularity and speed, would confer no other considerable benefits on New South Wales, while it must necessarily place this community, as the last point of intercourse in the Australian system, at a permanent disadvantage in relation to the Southern Colonies.

“(3.) That the interests of New South Wales would be best promoted by opening communication with America and Europe, *via* the Isthmus of Panama.

“(4.) That there are reasonable grounds for believing that a line of Steamers, of the requisite power and capacity, running between Sydney and Panama, in addition to the advantages of regular postal communication, would induce spontaneous and valuable passenger traffic to these shores, from the large numbers of persons constantly arriving on the Isthmus from the United States, British North America, and the West Indies, as well as from the Countries of Europe, and from the communities of Anglo-American origin on the Pacific.

“(5.) That in coming to a right determination on this subject, the question of cost is not the first for consideration, but that the efficiency of the service to be performed should be secured beyond the probability of failure, and that especial regard should be had to those social and commercial consequences which would tend most to the progress and prosperity of the Colony of New South Wales.”
  2. That this House confirms the foregoing propositions as affirmed by the late Assembly, and is of opinion that the important object thereby contemplated should be carried out with as little delay as possible, and in such manner as will secure to this Colony, the administrative control of the line when established.
  3. That these Resolutions be communicated by Address to His Excellency the Governor General.

ORDERS OF THE DAY:—

1. Capital Punishments Abolition Bill; second reading.
2. Resumption of the adjourned Debate on Dr. Lang's motion,—
  - “(1.) That a Select Committee be appointed to take into consideration, and to Report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
  - “(2.) That such Committee consist of the following Members, *viz.* :—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover.”

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TUESDAY,



TUESDAY, FEBRUARY 21.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.
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FRIDAY, MARCH 2.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Lien on Wool Act Continuation Bill; second reading.

T. A. MURRAY,  
*Speaker.*

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No. 59.

# VOTES AND PROCEEDINGS

## OF THE

# LEGISLATIVE ASSEMBLY.

FRIDAY, 10 FEBRUARY, 1860.

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

Papers:—

(1.) Mr. Samuel laid upon the Table a General Abstract of Bank Liabilities and Assets, for the Quarter ended 31 December, 1859.

Ordered to be printed.

(2.) Mr. Forster laid upon the Table the Return to the Address in reference to Mr. Jonathan Croft, adopted, on motion of Mr. Dalley, on the 3rd instant.

2. Funds for National Education:—Mr. Cape having moved, pursuant to notice, That there be laid upon the Table of this "House," a Copy of any Correspondence between the Board of National Education and the Government, on the subject of an addition to the Funds required for the purposes of National Education for the year 1860,—Motion made by Mr. Arnold, and Question put,—That this House do now adjourn. The House divided.

Ayes, 21.

Mr. Cooper,	Mr. Asher,	
Mr. Robertson,	Mr. Martin,	
Mr. Wisdom,	Mr. Pemell,	
Mr. Gordon,	Mr. G. Lang,	
Mr. Gray,	Mr. Rotton,	} Tellers.
Mr. Arnold,	Mr. Windeyer,	
Mr. Parkes,		
Mr. Egan,		
Mr. Terry,		
Mr. Byrnes,		
Mr. Dickson,		
Mr. Cummings,		
Mr. Scott,		
Mr. Lucas,		
Mr. Dalley,		

Noes, 30.

Mr. Forster,	Mr. Plunkett,	
Mr. Samuel,	Mr. Fancett,	
Mr. Black,	Mr. Loder,	
Mr. Morris,	Mr. Hodgson,	
Mr. Wild,	Mr. Garrett,	
Mr. Clements,	Mr. Cape,	
Mr. Russell,	Mr. Oxley,	
Mr. Macleay,	Mr. Hamilton,	
Mr. Jenkins,	Mr. Close,	
Mr. Hurley,	Mr. Hay,	
Mr. McArthur,	Mr. Piddington,	
Mr. Hart,	Mr. Wilson,	
Mr. Lyons,	Rev. Dr. Lang,	
Mr. Nott,	Mr. Hoskins,	} Tellers.
Mr. Ilyeronimus,	Mr. Jones,	

The original Question being then seconded,—Question proposed thereon.

Mr. Jenkins moved, That the Question be amended, by the omission of all the words following the word "House," with a view to the insertion in their place of the words, "Copies of all Correspondence between the Denominational and National Boards of Education and the Government, on the subject of an addition to the Funds required for the purposes of Education for the year 1860."

Debate ensued.

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 the place of the words omitted be so inserted,—put and passed.

Whereupon Question,—That there be laid upon the Table of this House, Copies of all Correspondence between the Denominational and National Boards of Education and the Government, on the subject of an addition to the Funds required for the purposes of Education for the year 1860,—put and passed.

3. Special Roman Catholic Education:—Mr. Windeyer presented a Petition from certain Roman Catholics resident in the Districts of Raymond Terrace and Newcastle, praying that a portion of the sum appropriated for Public Education may be set apart, specially, for Roman Catholic Education; and that the present Denominational System may not be abolished in favor of the National System. Petition received.

4. Alleged Suppression of Despatch relative to the Assessment on Ruus Act:—Mr. Hodgson moved, pursuant to amended notice,—

(1.) That in the opinion of this House the suppression of a Despatch from The Secretary of State for the Colonies, intimating the suspension of Her Majesty's Assent to an Act of the Legislature of the Colony, is disrespectful to this House, destructive of the harmonious working of Responsible Government, and calculated to impair the confidence which it is essential should exist between the Legislature and the Executive.

(2.)

(2.) That this House having lately discovered, with regret, that the Despatch of Earl Carnarvon, dated April 9th, 1859, relative to the Assessment on Runs Act, was not communicated to this House on its arrival in this Colony, feels bound to express its "condemnation" of a course of proceeding which has had the effect of keeping this House and the "Colony" in ignorance of the real position of the above Act, and the intention of the Imperial Government respecting it, "thereby prejudicing most materially a large and important class of the community in the assertion of their "just rights."

(3.) That this House is constrained to add, as its deliberate opinion, that the Despatch in question was designedly withheld.

(4.) That the above Resolutions be embodied in an Address to His Excellency the Governor General.

Debate ensued.

And the House agreeing to consider the Sections seriatim;—

Section (1.) Expunged, on motion of Mr. Darvall.

Section (2.) :—

The word "condemnation" expunged, and the word "disapproval" substituted, on motion of Mr. Forster.

The words "so long" inserted after the word "Colony", and the words "thereby prejudicing most materially a large and important class of the community in the "assertion of their just rights", expunged, on motion of Mr. Darvall.

Question then—That this Section, as so amended, stand part of the Question—put and passed.

Section (3.) Expunged, on motion of Mr. Darvall.

Section (4.) :—The word "Resolutions" converted into "Resolution," on motion of Mr. Darvall.

Question put, That this Section, as so amended, stand part of the Question.

The House divided.

Ayes, 14.

Mr. Mort,	Mr. Broughton,	
Mr. Piddington,	Mr. Hyeronimus,	
Mr. Morris,	Mr. Hay,	
Mr. Nott,	Mr. Plunkett,	
Mr. Russell,	Mr. Jenkins,	
Mr. Clements,	Mr. Close,	
Mr. Loder,	Mr. Hodgson,	} Tellers.

Noes, 7.

Mr. Forster,	
Mr. Black,	
Mr. Weekes,	
Mr. Dickson,	
Mr. Pemell,	
Mr. Byrnes,	
Mr. Robertson,	} Tellers.

Whereupon Question put,—

(1.) That this House having lately discovered, with regret, that the Despatch of Earl Carnarvon, dated April 9, 1859, relative to the Assessment on Runs Act, was not communicated to this House on its arrival in this Colony, feels bound to express its disapproval of a course of proceeding which has had the effect of keeping this House and the Colony so long in ignorance of the real position of the above Act, and the intention of the Imperial Government respecting it.

(2.) That the above Resolution be embodied in an Address to His Excellency the Governor General.

The House divided.

Ayes, 17.

Mr. Forster,	Mr. Russell,	
Mr. Black,	Mr. Broughton,	
Mr. Piddington,	Mr. Hyeronimus,	
Mr. Mort,	Mr. Hart,	
Mr. Jenkins,	Mr. Hay,	
Mr. Hodgson,	Mr. Plunkett,	
Mr. Nott,	Mr. Close,	
Mr. Oxley,	Mr. Morris,	
Mr. Loder,		} Tellers.

Noes, 3.

Mr. Pemell,	
Mr. Robertson,	
Mr. Weekes,	} Tellers.

5. St. John's College Act :—Mr. Hart moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Government of this Colony and the Imperial Government, relative to the allowance by Her Majesty of the Act to Incorporate St. John's College.

Debate ensued.

Question put and passed.

6. Postponements :—

(1.) Mr. Robertson postponed the motion standing in his name, No. 4 on the Notice Paper for to-day, until Tuesday next.

(2.) Mr. Parkes postponed the motion standing in his name, No. 5 on the Notice Paper for to-day, until Tuesday next.

7. District Court for Dungog :—Mr. Gordon moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence, including Petitions, &c., addressed to the Government, or from the Government to any person or persons, on the subject of Dungog being proclaimed a place where a District Court should be held in the Northern District.

Debate ensued.

Question put and passed.

8. Site for Odd Fellows' Hall, Goulburn :—Mr. Roberts presented a Petition from certain Office-bearers and Members of the "Loyal Strangers' Friend Lodge" of the Independent

pendent Order of Odd Fellows, Manchester Unity Friendly Society, held at Goulburn, Argyle, praying for the Grant of a Piece of Ground for the erection of an Odd Fellows' Hall.  
Petition received.

9. Quarter Sessions, Molong :—Mr. Clements moved, pursuant to notice standing in the name of Mr. Lord, That the Petition relative to the establishment of a Court of Quarter Sessions at Molong, presented by Mr. Lord on the 7th instant, be printed.  
Question put and passed.  
Ordered to be printed.
10. Proposed Presbyterian College Bill :—The Revd. Dr. Lang moved, pursuant to notice, for leave to introduce a Bill to Incorporate the Presbyterian College.  
Debate ensued,—  
And the Speaker stating that in his opinion the proposed Bill should be considered as a Private one, and introduced upon Petition in the usual manner prescribed for the introduction of Private Bills,—  
Motion by leave withdrawn.
11. Hawkesbury Benevolent Society's Act Amendment Bill :—  
(1.) Mr. Dalloy moved, pursuant to notice, for leave to bring in a Bill to amend the Hawkesbury Benevolent Society's Act of Incorporation.  
Question put and passed ; *Ordered*, that the Mover and Seconder prepare and bring in the Bill.  
(2.) Mr. Dalley having presented this Bill, Bill, intituled, "*A Bill to amend 'The Hawkesbury Benevolent Society's Act of Incorporation,'*"—read a first time, (*with the understanding that the usual Certificate of the payment of £25 to the credit of the Consolidated Revenue Fund of the Colony—omitted to be now produced under a misapprehension of the nature of this Bill—shall be produced before any further step be taken.*)
12. Postponements :—  
(1.) Mr. Cummings postponed the motion standing in his name, No. 10 on the Notice Paper for to-day, until Tuesday next.  
(2.) Mr. Cummings postponed the motion standing in his name, No. 11 on the Notice Paper for to-day, until Friday next.
13. Mr. Andrew Lenehan :—Mr. Dalley moved, pursuant to notice, That there be laid upon the Table of this House, Copies of all Correspondence between Mr. Andrew Lenehan and the Government, with reference to a claim of Mr. Lenehan's for works performed at Government House.  
Debate ensued.  
Motion by leave withdrawn.
14. Splitters' Licenses :—Mr. Laycock moved, pursuant to notice, That there be laid upon the Table of this House, a Return of the number of Splitters' Licenses issued for the County of Cumberland, during the year 1859, with the amount of revenue derivable therefrom.  
Debate ensued.  
Question put and passed.
15. Postponement :—Mr. Byrnes postponed the motion standing in his name, No. 14 on the Notice Paper for to-day, until this day week.
16. Countings Out :—Mr. Hoskins moved, pursuant to *amended* notice, That it be a Sessional Order, That, upon every occasion when this House is counted out, the names of Honorable Members "present" be inserted in the Records of this Assembly.  
Debate ensued.  
Motion made by Mr. Weekes, and Question put and passed, That the Question be amended by the insertion, after the word "present," of the words, "be taken down" by the Clerk at the Table, and."  
Whereupon Question,—That it be a Sessional Order, That, upon every occasion when this House is counted out, the names of Honorable Members present be taken down by the Clerk at the Table, and be inserted in the Records of this Assembly,—put and passed.
17. State Aid to Religion :—Mr. Parkes moved, pursuant to notice standing in the name of Mr. Darvall, That the Petitions presented by him, in favor of State Aid to the Church, on the 13th and 14th October, on the 16th December, and on the 7th February, be printed.  
Question put and passed.  
Ordered to be printed.
18. Identified Stolen Horses :—Mr. Nott moved, pursuant to notice standing in the name of Mr. Macleay, That the Petition of Richard Brett and Richard Heather, presented by Mr. Macleay on the 7th instant, be printed.  
Question put and passed.  
Ordered to be printed.
19. William Henry :—Mr. Parkes moved, pursuant to *amended* notice, That the Petition of William Henry, presented by him on the 7th instant, be printed and referred for consideration to the Committee now sitting on Grievances.  
Question put and passed.  
Ordered to be printed, and referred accordingly.
20. Steam Postal Service :—Mr. Parkes moved, pursuant to notice, That the Petition from the Sydney Chamber of Commerce, presented by him on the 7th instant, be printed.  
Question put and passed.  
Ordered to be printed.

21. Dry Dock, Waterview Bay :—Mr. Parkes moved, pursuant to notice, That the Petition from Thomas S. Rowntree, presented by him on the 7th instant, be printed.  
Question put and passed.  
Ordered to be printed.
22. Necropolis Act Extension Bill :—Mr. Byrnes 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. Byrnes, the Speaker left the Chair, and the House 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 Friday, the 2nd March next.
23. Postponement :—The second reading of the Law of Primogeniture Abolition Bill postponed, on the motion of Mr. Arnold, until Tuesday next.
24. Importation of Cattle Regulation Bill :—The Order of the Day for the second reading of this Bill, on motion of Mr. Morris, discharged from the Paper.  
Bill, then, on motion of Mr. Morris, discharged from the Paper.
25. Postponements :—  
(1.) The resumption of the adjourned Debate on Mr. Oxley's motion, "That the "Primary Education Encouragement Bill be now read a second time," postponed, on motion of Mr. Garrett, until Friday next.  
(2.) The second reading of the Freight and Charges Bill postponed, on motion of Mr. Forster, until this day week.
26. Parramatta Water Protection Bill :—On motion of Mr. Byrnes, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, for the consideration of this Bill.

And the Committee continuing to sit till after midnight,—

*SATURDAY, 11 FEBRUARY, 1860., A. M.*

The Chairman having reported the Bill with Amendments, the House adopted the same, and ordered the third reading of the Bill, as to reported, to stand an Order of the Day for Tuesday next.

27. Postponements :—  
(1.) The consideration in Committee of Address for Reward Fund for discovery of New Gold Fields postponed, on motion of Mr. Hoskins, until Tuesday next.  
(2.) The further consideration in Committee of the Newcastle Wallsend Coal Company's Railway Bill postponed, on motion of Mr. Robertson, until Wednesday next.  
The House adjourned at ten minutes after Twelve o'clock, A.M., until Tuesday next, at Three o'clock, P.M.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

*TUESDAY, FEBRUARY 14.*

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HODGSON to move, That the following portions of the Return to the Address respecting Lieutenant Scaver, R.N., laid upon the Table of this House by The Honorable the Colonial Treasurer, on the 24th ultimo, be printed, namely,—Pages 17, 27, 38 to 36, 38, 39, 92 to 94, 173 to 178, 267, 268, 309 to 313, 332 to 337, 339 to 340, 344, 349, 352, and 357.
2. MR. WILSON to move, That the Report of the Select Committee appointed to inquire into the case of William Sutherland be now adopted.
3. MR. PARKES to move, That an Address to His Excellency the Governor General be adopted, embodying the following recommendations, for the greater publicity of the Proceedings of the Legislature and Government of this Colony :—  
(1.) That all Public Documents issued from the Government Printing Office should have affixed to them the price per single copy, calculated on the lowest cost of production.  
(2.) That a respectable bookseller should be appointed in Sydney for the sale of such documents, to be paid by a commission on sales, and that he should be furnished with monthly lists of such documents, for exhibition in his place of business and otherwise.  
(3.) That these arrangements, together with a list of the documents on sale, and their price, should be notified at least once a month, in one or more of the daily papers.
4. MR. TERRY to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the ensuing year, the sum of £7,000, for a Court House and Gaol at Mudgee.
5. MR. JENKINS to move, That this House having had under consideration the following Petitions, presented on January 24th and 25th, in favor of Universal Education in this Colony, and the retention of the duties on Tea and Sugar, to provide a fund for the carrying out of the same, viz. :—  
1. Petition from certain Female Residents of Sydney ;

2. Petition from the Judges, Professors of the University, Clergymen, Professional Men, Bankers, Merchants, and other Citizens of Sydney;
3. Petition from Members of Sydney Mechanics' School of Arts,—Resolves—
  - (1.) That it is essential to the political stability and social advancement of this Colony, that the advantages of Primary Education should be universally diffused.
  - (2.) That large means are required to carry out successfully such measures as will secure Universal Education in this Colony.
  - (3.) That so soon as the exigencies of the Government will permit, the duties upon Tea and Sugar ought to cease to form a portion of the Consolidated Revenue Fund.
  - (4.) That the duties upon Tea and Sugar ought to be applied to the creation and maintenance of a Fund for the promotion of Public Education.
  - (5.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.
6. MR. DARVALL to move for leave to bring in a Bill to amend the Law regulating Public Ferries.
7. MR. OXLEY to move,—
  - (1.) That the hour, as at present fixed, for the arrival in Sydney of the Mails from the Southern Districts, causes great and unnecessary inconvenience to the inhabitants of that portion of the Colony.
  - (2.) That an Address embodying the above Resolution be presented to His Excellency the Governor General.
8. MR. DARVALL to move for leave to introduce a Bill to amend the Law regulating Bank Returns and Abstracts.
9. MR. DICKSON to move,—
  - (1.) That a Select Committee be appointed to inquire into and report upon the allegations contained in the Petition of the Inhabitants of Maitland, having reference to Pasture Reserves, presented to this House on the 31st January; and that such Committee have power to send for persons and papers.
  - (2.) That the Committee consist of the following Members:—Mr. Black, Mr. Faucett, Mr. Jones, Mr. Weekes, Mr. Close, Mr. Cape, Mr. Robertson, Mr. Arnold, Mr. Wisdom, and the Mover.
10. MR. WEEKES to move, That the Petition respecting Special Roman Catholic Education, presented by him on the 9th February, be printed.
11. MR. DARVALL to move, that the Petition from the Churchwardens of St. Andrew's, presented by him on the 25th January, be now taken into consideration.
12. MR. WINDEYER to move, That the Petition from Raymond Terrace, relative to Special Roman Catholic Education, presented by him on the 10th February, be printed.
13. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
14. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
15. MR. ROBERTS to move, That the Petition of certain Members of the Odd Fellows' Society, presented by him on the 10th February, be printed.
16. MR. PARKES to move, That the Petition of Edward Farbrother, presented by him on the 9th February, be printed.
17. MR. DALLEY to move,—
  - (1.) That the Hawkesbury Benevolent Society's Act Incorporation Amendment Bill be referred for the consideration and report of a Select Committee.
  - (2.) That such Committee consist of Mr. Arnold, Mr. Hay, Mr. Plunkett, Mr. Darvall, Mr. Piddington, Mr. Atkinson, and the Mover.
18. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates, a sum not exceeding £250 each, as Salaries for the Clergymen resident on the several Gold Fields of New South Wales.

#### ORDERS OF THE DAY:—

1. Revenue and Audit Bill; second reading.
2. Tanners' and Curriers' Bill; second reading.
3. Wesley College Bill; second reading.
4. Sydney Insurance Company's Act Amendment Bill; second reading.
5. Law of Primogeniture Abolition Bill; second reading.
6. Parramatta Water Protection Bill; third reading.
7. Reward Fund for Discovery of Gold Fields; consideration in Committee of Address for.

GOVERNMENT

## GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. FORSTER to move, That the following Resolution, agreed to by this House on 2nd February, instant, namely,—  
 “Resolved, That an Address be presented to His Excellency the Governor General, embodying the following Resolutions:—  
 “1. That this House is of opinion that the Government of this Colony should be authorised to grant a subsidy not exceeding £9,625 per annum, for a term not exceeding twenty-one years, to any Company, of the stability of which satisfactory assurance shall be given, to induce such Company to construct and maintain a Telegraphic Line, from this Colony to East Java, upon the following conditions, that “is to say:—  
     “(1.) That the Government of Victoria shall make arrangements with such Company, by subsidy or otherwise, for the residue, over and above the annual subsidy of this Colony, necessary for the carrying out of the work.  
     “(2.) That the period within which the first call of the subscribed capital of the Company shall be made, shall be limited to twelve calendar months from the date of the concurrence of the Colony of Victoria in the preceding condition.  
     “(3.) That the whole work shall be completed and in effective operation within three years from the present date; subject, however, to such extension of the time, to meet possible contingencies, as may hereafter be agreed upon.  
     “(4.) That the proposed subsidy shall be proportionally payable on the capital of the Company as paid up.  
     “(5.) That the payment of the said subsidy shall be conditional on the maintenance of the Line in effective working order, and that no payment shall be made until the Line is completed.  
     “(6.) That no Tariff of charges shall be established without the concurrence of this Colony.  
     “(7.) That in the event of the net profits of the Company exceeding in any year the rate of ten per cent. per annum, such excess shall be rateably applied to reduce the respective contributions of this Colony and of Victoria.  
 “2. That steps be taken without delay to communicate with and settle the proportionate contributions of the other Colonies in aid of the respective contributions of New South Wales and Victoria.”—  
 be communicated by Message to the Legislative Council, requesting their concurrence therein.

## Questions:—

1. MR. TERRY to ask THE SECRETARY FOR LANDS,—  
 (1.) If the Government is aware that a serious injury is being sustained to a Government Road known as Rickety-street, leading from the Cook's River Road to the Botany Road, by reason of embankments and cuttings of recent formation, by a private individual, along Shay's Creek, thereby flooding the public road, and causing it to be utterly impassable?  
 (2.) And if so, is it the intention of the Government to take, or cause to be taken, proceedings to prevent further destruction of public property, as the public money already spent on this locality has been thrown away by reason of the above injury?
2. MR. ASHER to ask THE COLONIAL SECRETARY,—  
 (1.) Whether the Government are aware that a certain Justice of the Peace at Albury, is keeping, as his housekeeper, a woman of improper character; that this woman, although separated from her husband, has had several children during the time she has resided with this Justice of the Peace, and in his house?  
 (2.) Whether the Government intend making inquiry into the matter?  
 (3.) Is such a person fit to administer justice?
3. MR. ASHER to ask THE COLONIAL SECRETARY,—Why was the tender for the repair of the piece of road called the Crab-holes, near Albury, not accepted, and whether other tenders are to be called for; also, whether the contract for the Murray Bridge at Albury is signed and completed; and, if not, why not.
4. MR. ASHER to ask THE COLONIAL SECRETARY,—  
 (1.) Has any application been made to the Government or the Sheriff for an Assistant Gaoler at Albury?  
 (2.) Has there been any representation made to the Government or the Sheriff, of the number of confines, and the filthy condition of the prisoners in the said Gaol.  
 (3.) What steps do the Government intend to take in the matter.
5. MR. FAUCETT to ask MR. WINDEYER, the Chairman of the Committee appointed to inquire into the State of the Sydney Grammar School,—When the Report of the Committee is likely to be brought up?
6. MR. LUCAS to ask THE SECRETARY FOR LANDS,—  
 (1.) Whether the Government is aware that the Botany Toll-bar is in the middle of the Redfern Municipality, in consequence of which the Citizens of Redfern are compelled to pay Toll to another Trust for their own Road?  
 (2.) Whether it is the intention of the Government to take the necessary steps to transfer from the Trustees of the Mudbank and Cook's River Road to the Redfern Municipality that portion of the Botany Road incorporated in that Municipality; and, if so, when?
7. MR. WINDEYER to ask THE COLONIAL SECRETARY,—What is the amount of the Pension to which the Chief Justice is now entitled, should he think fit to retire from office?



WEDNESDAY, FEBRUARY 15.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. FORSTER to move for leave to introduce a Bill to abolish State Aid to Religion.
2. MR. FORSTER to move for leave to introduce a Bill to alter and amend the Law relating to the Salaries of certain Public Officers.

ORDERS OF THE DAY :—

1. Ways and Means; Resumption of the Committee.
2. Seamen's Engagement Amendment Bill; third reading.
3. Supply; Resumption of the Committee.
4. Harbor, Pilotage, and Navigation Bill; second reading.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Newcastle Wallsend Coal Company's Railway Bill; to be further considered in Committee.

Question :—

1. MR. LUCAS to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to introduce this Session a measure to regulate the Emigration of Chinese?

THURSDAY, FEBRUARY 16.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. BLACK to move for leave to introduce a Bill to provide for the Sale and Management of Public Lands.
2. MR. BLACK to move for leave to introduce a Bill to establish a Tax upon Lands.

FRIDAY, FEBRUARY 17.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move,—
  1. That this House has had under its consideration certain Resolutions passed by the late Legislative Assembly, on the 6th of August, 1858, to the following effect :—
 

" (1.) That the experience hitherto gained of Steam Communication between Australia and England, *via* India, has led to general disappointment and dissatisfaction in this Colony.

" (2.) That any new arrangement for the performance of the Mail Service by the India route, though it ensured postal regularity and speed, would confer no other considerable benefits on New South Wales, while it must necessarily place this community, as the last point of intercourse in the Australian system, at a permanent disadvantage in relation to the Southern Colonies.

" (3.) That the interests of New South Wales would be best promoted by opening communication with America and Europe, *via* the Isthmus of Panama.

" (4.) That there are reasonable grounds for believing that a line of Steamers, of the requisite power and capacity, running between Sydney and Panama, in addition to the advantages of regular postal communication, would induce spontaneous and valuable passenger traffic to these shores, from the large numbers of persons constantly arriving on the Isthmus from the United States, British North America, and the West Indies, as well as from the Countries of Europe, and from the communities of Anglo-American origin on the Pacific.

" (5.) That in coming to a right determination on this subject, the question of cost is not the first for consideration, but that the efficiency of the service to be performed should be secured beyond the probability of failure, and that especial regard should be had to those social and commercial consequences which would tend most to the progress and prosperity of the Colony of New South Wales."
  2. That this House confirms the foregoing propositions as affirmed by the late Assembly, and is of opinion that the important object thereby contemplated should be carried out with as little delay as possible, and in such manner as will secure to this Colony, the administrative control of the line when established.
  3. That these Resolutions be communicated by Address to His Excellency the Governor General.
2. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the following sums for the erection of Bridges :—
 

£6,000 for the erection of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst to Wagga Wagga and Balranald.

£300 for the erection of a Bridge across Ugowra Creek.

£300 for the erection of a Bridge across the Belubula Creek on the main road from Bathurst to Nanamai and Balranald.

£300 for a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala.

3. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.

ORDERS OF THE DAY :—

1. Capital Punishments Abolition Bill ; second reading.
2. Resumption of the adjourned Debate on Dr. Lang's motion,—  
 “ (1.) That a Select Committee be appointed to take into consideration, and to report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.  
 “ (2.) That such Committee consist of the following Members, viz. :—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover.”
3. Primary Education Encouragement Bill ; Resumption of the adjourned debate on Mr. Oxley's motion, “ That this Bill be now read a second time.”
4. Freight and Charges Bill ; second reading.

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TUESDAY, FEBRUARY 21.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum for £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.

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FRIDAY, MARCH 2.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Lien on Wool Act Continuation Bill ; second reading.
2. Necropolis Act Extension Bill ; to be further considered in Committee.

T. A. MURRAY,  
*Speaker.*

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No. 60.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

TUESDAY, 14 FEBRUARY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
State Aid to Religion:—The undermentioned Petitions, against the withdrawal of State Aid to Religion, were presented:—  
(1.) By Mr. Weekes, from certain Roman Catholics residing in the District of West Maitland.  
(2.) By Mr. Forster, from the Catholics of the District of Queanbeyan.  
(3.) By Mr. Weekes, from certain Catholic Inhabitants of East Maitland, Dagworth, Louth Park, Morpeth, Hinton, and Seaham.  
Petitions received.
2. Paper:—Mr. Forster laid upon the Table,—Further Correspondence relating to Steam Postal Communication.  
Ordered to be printed.
3. Questions put to Ministers:—Mr. Asher proceeding to ask the Colonial Secretary the Question standing in his name No. 3 on the Notice Paper of Questions for to-day:—The Speaker stated that in his opinion the Question proposed was inadmissible, according to the rule, laid down in the 4th edition of May's Practice of Parliament, page 295,—that Questions put to Ministers of the Crown should be limited, as far as possible, to matters immediately connected with the business of Parliament, and should be put in a manner which does not involve opinion, argument, or inference.  
And the House acquiescing in the Speaker's ruling, the matter dropped.
4. Elective Legislative Council Bill:—Mr. Forster having presented this Bill, intituled "*A Bill to amend the Constitution of the Legislative Council*," read a first time; ordered to be printed, and read a second time to-morrow week.
5. Motion dropped:—Mr. Hodgson not moving the motion standing in his name, No. 1 on the Notice Paper of Other Business for to-day, it dropped.
6. Mr. William Sutherland:—Mr. Wilson moved, pursuant to notice, That the Report of the Select Committee appointed to inquire into the case of William Sutherland be "now adopted."  
Debate ensued.  
Mr. Darvall moved, That the Question be amended, by the omission of the words "now adopted," with a view to the insertion in their place of the words, "communicated by Address to the 'Governor General,' with a request that His Excellency will be pleased to take such steps as may be necessary for the compensation of the "Petitioner."  
Debate continued.  
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.  
Mr. Rotton moved, That the proposed amendment be amended by the omission of all the words thereof following the words "Governor General."  
Question put,—That the words proposed to be omitted stand part of the proposed amendment.  
The House divided.

Ayes, 25.

Mr. Forster,	Mr. Cummings,
Mr. Black,	Mr. Campbell,
Mr. Samuel,	Mr. Wild,
Mr. Hamilton,	Mr. Darvall,
Mr. Wilson,	Mr. Lucas,
Mr. Gray,	Mr. Dalley,
Mr. Robertson,	Mr. Fenell,
Mr. Windeyer,	Mr. Terry,
Mr. Hoskins,	Mr. Cape,
Mr. Parkes,	Rev. Dr. Lang,
Mr. Hyeronimus,	Mr. Clements,
Mr. Atkinson,	Mr. Hawkins,
Mr. Piddington,	

} Tellers.

Nocs, 23.

Mr. Morris,	Mr. Egan,
Mr. Wisdom,	Mr. McArthur,
Mr. Byrnes,	Mr. Hodgson,
Mr. Weekes,	Mr. Russell,
Mr. Hart,	Mr. Oakes,
Mr. Dickson,	Mr. Arnold,
Mr. Lyons,	Mr. Jones,
Mr. Asher,	Mr. Munkett,
Mr. Gordon,	Mr. Loder,
Mr. Close,	Mr. Rotton,
Mr. Faneett,	
Mr. Oxley,	
Mr. Broughton,	

} Tellers.

Question

Question,—That the words (*of the original Amendment*) proposed to be inserted in the place of the words omitted (*from the original Question*) be so inserted,—put and passed.

Whereupon Question put,—That the Report of the Select Committee appointed to inquire into the case of William Sutherland be communicated by Address to the Governor General, with a request that His Excellency will be pleased to take such steps as may be necessary for the Compensation of the Petitioner.

The House divided.

Ayes, 26.

Mr. Forster,	Mr. Cummings,
Mr. Black,	Mr. Laycock,
Mr. Samuel,	Mr. Campbell,
Mr. Hamilton,	Mr. Lucas,
Mr. Robertson,	Mr. Dalley,
Mr. Wilson,	Mr. Pemell,
Mr. Hoskins,	Mr. Terry,
Mr. Gray,	Mr. Cape,
Mr. Windoyer,	Rev. Dr. Lang,
Mr. Parkes,	Mr. Darvall,
Mr. Hyeronimus,	Mr. Wild,
Mr. Atkinson,	Mr. Clements,
Mr. Piddington,	Mr. Hawkins,

} Tellers.

Noes, 23.

Mr. Plunkett,	Mr. Close,
Mr. Rotton,	Mr. Gordon,
Mr. Loder,	Mr. Asher,
Mr. Jones,	Mr. Lyons,
Mr. Arnold,	Mr. Dickson,
Mr. Oakes,	Mr. Hart,
Mr. Russell,	Mr. Weekes,
Mr. Broughton,	Mr. Byrnes,
Mr. Egan,	Mr. Wisdom,
Mr. McArthur,	Mr. Morris,
Mr. Hodgson,	
Mr. Oxley,	
Mr. Faucett,	

} Tellers.

7. State Aid to Religion:—The undermentioned Petitions against the withdrawal of State Aid to Religion were presented:—
  - (1.) By Mr. Clements, from certain Catholics of Bathurst.
  - (2.) By Mr. Gray, from the Catholics of the Kiama District.
  - (3.) By Mr. Gray, from certain Parishioners of the Roman Catholic Church in the District of Shoalhaven.
  - (4.) By Mr. Gray, from the Roman Catholics of the Mission in the District of Illawarra.
  - (5.) By Mr. Campbell, from certain Inhabitants of Balmain.
  - (6.) By Mr. Hodgson, from certain Members of the Roman Catholic Church, resident in the District of Newcastle.
  - (7.) By Mr. Dalley, from certain Catholic Inhabitants of the Town and District of Windsor.
  - (8.) By Mr. Dalley, from the Catholics of Ryde.
 Petitions received.
8. Public Education by means of Duties on Tea and Sugar:—Mr. Wild presented a Petition from certain Male and Female Inhabitants of Berrima, advocating the application of the Duties derivable from Tea and Sugar to the purposes of Public Education. Petition received.
9. State Aid to Religion:—Mr. Cape presented a Petition from certain Inhabitants of the District of Brisbane Water, against the withdrawal of State Aid to Religion. Petition received.
10. Member of the Legislative Council as Witness:—Mr. Plunkett moved, That the following Message be carried to the Legislative Council:—

MR PRESIDENT,

The Legislative Assembly having appointed a Select Committee to inquire into the present state of the University of Sydney, and that Committee being desirous to examine the Honorable John Fletcher Hargrave, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.

*Legislative Assembly Chamber,  
Sydney, 14 February, 1860.*

Speaker.

Question put and passed.

11. State Aid to Religion:—Mr. Plunkett presented two Petitions from the Catholics of the City of Sydney, against the withdrawal of State Aid to Religion. Petitions received.
12. Sale of Printed Public Documents by a Private Bookseller in Sydney:—Mr. Parkes moved, pursuant to notice, That an Address to His Excellency the Governor General be adopted, embodying the following recommendations, for the greater publicity of the Proceedings of the Legislature and Government of this Colony:—
  - (1.) That all Public Documents issued from the Government Printing Office should have affixed to them the price per single copy, calculated on the lowest cost of production.
  - (2.) That a respectable bookseller should be appointed in Sydney for the sale of such documents, to be paid by a commission on sales, and that he should be furnished with monthly lists of such documents, for exhibition in his place of business and otherwise.
  - (3.) That these arrangements, together with a list of the documents on sale, and their price, should be notified, at least once a month, in one or more of the daily papers.
 Debate ensued.  
Question put and passed.
13. Postponement:—Mr. Terry *amended* and postponed, until Tuesday next, the motion standing in his name, No. 4 on the Notice Paper of Other Business for to-day.

## 14. Public Education by means of Duties on Tea and Sugar:—

(1.) Mr. Jenkins presented a Petition from the Inhabitants of the Gwydir District, in favor of the application of the Duties derivable from Tea and Sugar to the purposes of Public Education.  
Petition received.

(2.) Mr. Jenkins moved, pursuant to notice, "That this House having" had under consideration the following Petitions, presented on January 24th and 25th, in favor of Universal Education in this Colony, and the retention of the duties on Tea and Sugar, to provide a fund for the carrying out of the same, viz. :—

1. Petition from certain Female Residents of Sydney ;
2. Petition from the Judges, Professors of the University, Clergymen, Professional Men, Bankers, Merchants, and other Citizens of Sydney ;
3. Petition from Members of Sydney Mechanics' School of Arts,—Resolves—

(1.) That it is essential to the political stability and social advancement of this Colony, that the advantages of Primary Education should be universally diffused.

(2.) That large means are required to carry out successfully such measures as will secure Universal Education in this Colony.

(3.) That so soon as the exigencies of the Government will permit, the duties upon Tea and Sugar ought to cease to form a portion of the Consolidated Revenue Fund.

(4.) That the duties upon Tea and Sugar ought to be applied to the creation and maintenance of a Fund for the promotion of Public Education.

(5.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor General.

Debate ensued.

Mr. Parkes moved, That the Question be amended, by the omission of all the words following the words, "That this House having" (at the commencement) with a view to the insertion in their place of the following words, "reconsidered its vote of the 2nd of September, 1859, and also the proposal of the late Government for the gradual abolition of the Duties on Tea and Sugar, as embodied in the Resolutions submitted by the Colonial Treasurer of the time being (Mr. Weekes), now re-affirms its former opinion, that such Duties ought to be abolished."

Debate continued.

And the Rev. Dr. Lang offering a motion, That this debate be now adjourned until this day six months,—

And the Speaker ruling that the proposed motion could not be entertained, on the ground that it was not one of the modes by which a Question may be superseded, according to the practice of Parliament,—

Debate continued.

And the House continuing to sit till after Midnight,—

WEDNESDAY, 15 FEBRUARY, 1860. A.M.

Motion made by Mr. Gordon, and Question put, That this House do now adjourn.

The House divided.

Ayes, 23.

Noes, 24.

Mr. Forster,	Mr. Darvall,	
Mr. Black,	Mr. Rotton,	
Mr. Samuel,	Mr. Nott,	
Mr. Piddington,	Mr. Watt,	
Mr. Gordon,	Mr. Hay,	
Mr. Hodgson,	Mr. Hurley,	
Mr. Clements,	Mr. Plunkett,	
Mr. Terry,	Rev. Dr. Lang,	
Mr. Egan,	Mr. Morris,	
Mr. Gray,	Mr. Oxley,	
Mr. Lucas,	Mr. Hawkins,	
Mr. Fancett,		

} Tellers.

Mr. Robertson,	Mr. Atkinson,
Mr. Byrnes,	Mr. Martin,
Mr. Wild,	Mr. Roberts,
Mr. Loder,	Mr. Pemell,
Mr. McArthur,	Mr. Dalley,
Mr. Wisdom,	Mr. Hamilton,
Mr. Weekes,	Mr. Jones,
Mr. Hoskins,	Mr. Hart,
Mr. Parkes,	Mr. Laycock,
Mr. Jenkins,	Mr. Dickson,
Mr. Cummings,	Mr. Windeyer,
Mr. Wilson,	Mr. Arnold,

} Tellers.

Question proposed,—That the words proposed to be omitted stand part of the Question.  
Debate continued.

Motion made by Mr. Plunkett, and Question put, That this Debate be now adjourned until this day week.

The House divided.

Ayes, 20.

Noes, 27.

Mr. Forster,	Mr. Hay,	
Mr. Black,	Mr. Hurley,	
Mr. Samuel,	Mr. Plunkett,	
Mr. Hawkins,	Rev. Dr. Lang,	
Mr. Piddington,	Mr. Oxley,	
Mr. Wild,	Mr. Morris,	
Mr. Hodgson,		
Mr. Clements,		
Mr. Jenkins,		
Mr. Terry,		
Mr. McArthur,		
Mr. Darvall,		
Mr. Fancett,		
Mr. Watt,		

} Tellers.

Mr. Loder,	Mr. Parkes,
Mr. Byrnes,	Mr. Martin,
Mr. Arnold,	Mr. Macleay,
Mr. Windeyer,	Mr. Roberts,
Mr. Weekes,	Mr. Wisdom,
Mr. Egan,	Mr. Hamilton,
Mr. Rotton,	Mr. Dalley,
Mr. Hoskins,	Mr. Jones,
Mr. Pemell,	Mr. Nott,
Mr. Gray,	Mr. Hart,
Mr. Atkinson,	Mr. Laycock,
Mr. Wilson,	Mr. Dickson,
Mr. Cummings,	Mr. Robertson,
Mr. Lucas,	

} Tellers.

Main

Main Question stated.

Motion made by Mr. Hay, and Question put, That this House do now adjourn.  
The House divided.

Ayes, 24.

Mr. Forster,	Mr. Rotton,	
Mr. Black,	Mr. Wild,	
Mr. Samuel,	Mr. Lucas,	
Mr. Hawkins,	Mr. Hamilton,	
Mr. Oxley,	Mr. Hay,	
Mr. Hodgson,	Mr. Hurley,	
Mr. Clements,	Mr. Plunkett,	
Mr. Nott,	Rev. Dr. Lang,	
Mr. Egan,	Mr. Terry,	
Mr. Loder,	Mr. Watt,	
Mr. Faucett,	Mr. Piddington,	} Tellers.
Mr. Darvall,	Mr. Morris,	

Noes, 23.

Mr. Arnold,	Mr. Martin,	
Mr. Windoyer,	Mr. Gray,	
Mr. Woockes,	Mr. Macleay,	
Mr. McArthur,	Mr. Dalley,	
Mr. Hoskins,	Mr. Wisdom,	
Mr. Pennell,	Mr. Jones,	
Mr. Atkinson,	Mr. Hart,	
Mr. Wilson,	Mr. Laycock,	
Mr. Cummings,	Mr. Dickson,	
Mr. Jenkins,	Mr. Robertson,	} Tellers.
Mr. Parkes,	Mr. Byrnes,	
Mr. Roberts,		

The House accordingly adjourned at twelve minutes before One o'clock, A.M., until Three o'clock, P. M., this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, FEBRUARY 15.

### GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. FORSTER to move for leave to introduce a Bill to abolish State Aid to Religion.
2. MR. FORSTER to move for leave to introduce a Bill to alter and amend the Law relating to the Salaries of certain Public Officers.
3. MR. FORSTER to move, That the following Resolution, agreed to by this House on 2nd February, instant, namely,—  
“Resolved, That an Address be presented to His Excellency the Governor General, embodying the following Resolutions :—  
“1. That this House is of opinion that the Government of this Colony should be authorised to grant a subsidy not exceeding £9,625 per annum, for a term not exceeding twenty-one years, to any Company, of the stability of which satisfactory assurance shall be given, to induce such Company to construct and maintain a Telegraphic Line, from this Colony to East Java, upon the following conditions, that is to say :—  
“ (1.) That the Government of Victoria shall make arrangements with such Company, by subsidy or otherwise, for the residue, over and above the annual subsidy of this Colony, necessary for the carrying out of the work.  
“ (2.) That the period within which the first call of the subscribed capital of the Company shall be made, shall be limited to twelve calendar months from the date of the concurrence of the Colony of Victoria in the preceding condition.  
“ (3.) That the whole work shall be completed and in effective operation within three years from the present date; subject, however, to such extension of the time, to meet possible contingencies, as may hereafter be agreed upon.  
“ (4.) That the proposed subsidy shall be proportionally payable on the capital of the Company as paid up.  
“ (5.) That the payment of the said subsidy shall be conditional on the maintenance of the Line in effective working order, and that no payment shall be made until the Line is completed.  
“ (6.) That no Tariff of charges shall be established without the concurrence of this Colony.  
“ (7.) That in the event of the net profits of the Company exceeding in any year the rate of ten per cent. per annum, such excess shall be rateably applied to reduce the respective contributions of this Colony and of Victoria.  
“ 2. That steps be taken without delay to communicate with and settle the proportionate contributions of the other Colonies in aid of the respective contributions of New South Wales and Victoria.”—  
to be communicated by Message to the Legislative Council, requesting their concurrence therein.

### ORDERS OF THE DAY :—

1. Ways and Means; Resumption of the Committee.
2. Seamen's Engagement Amendment Bill; third reading.
3. Supply; Resumption of the Committee.
4. Harbor, Pilotage, and Navigation Bill; second reading.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. FORSTER to move, That the Petition of certain Roman Catholics of Queenbeyan, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.
2. MR. WILD to move, That there be laid upon the Table of this House, Copies of all Depositions taken at the Police Office, Sydney, in the case of Jane Leddes, who was lately committed to take her trial at the Central Criminal Court for concealing the birth of a child.

3. MR. CLEMENTS to move, That the Petition from certain Catholics of Bathurst, presented by him on the 14th February, be printed.
4. MR. WILD to move, That the Petition from Berrima, relative to Education, presented by him on 14th February, be printed.
5. MR. DARVALL to move for leave to bring in a Bill to amend the Law regulating Public Ferries.
6. MR. OXLEY to move,—
  - (1.) That the hour, as at present fixed, for the arrival in Sydney of the Mails from the Southern Districts, causes great and unnecessary inconvenience to the inhabitants of that portion of the Colony.
  - (2.) That an Address embodying the above Resolution be presented to His Excellency the Governor General.
7. MR. DARVALL to move for leave to introduce a Bill to amend the Law regulating Bank Returns and Abstracts.
8. MR. DICKSON to move,—
  - (1.) That a Select Committee be appointed to inquire into and report upon the allegations contained in the Petition of the Inhabitants of Maitland, having reference to Pasture Reserves, presented to this House on the 31st January; and that such Committee have power to send for persons and papers.
  - (2.) That the Committee consist of the following Members:—Mr. Black, Mr. Faucett, Mr. Jones, Mr. Weekes, Mr. Close, Mr. Cape, Mr. Robertson, Mr. Arnold, Mr. Wisdom, and the Mover.
9. MR. WEEKES to move, That the Petition respecting Special Roman Catholic Education, presented by him on the 9th February, be printed.
10. MR. DARVALL to move, that the Petition from the Churchwardens of St. Andrew's, presented by him on the 25th January, be now taken into consideration.
11. MR. WINDEYER to move, That the Petition from Raymond Terrace, relative to Special Roman Catholic Education, presented by him on the 10th February, be printed.
12. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
13. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
14. MR. ROBERTS to move, That the Petition of certain Members of the Odd Fellows' Society, presented by him on the 10th February, be printed.
15. MR. PARKES to move, That the Petition of Edward Farbrother, presented by him on the 9th February, be printed.
16. MR. DALLEY to move,—
  - (1.) That the Hawkesbury Benevolent Society's Act Incorporation Amendment Bill be referred for the consideration and report of a Select Committee.
  - (2.) That such Committee consist of Mr. Arnold, Mr. Hay, Mr. Plunkett, Mr. Darvall, Mr. Piddington, Mr. Atkinson, and the Mover.
17. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates, a sum not exceeding £250 each, as Salaries for the Clergymen resident on the several Gold Fields of New South Wales.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Newcastle Wallsend Coal Company's Railway Bill; to be further considered in Committee.
2. Revenue and Audit Bill; second reading.
3. Tanners' and Carriers' Bill; second reading.
4. Wesley College Bill; second reading.
5. Sydney Insurance Company's Act Amendment Bill; second reading.
6. Law of Primogeniture Abolition Bill; second reading.
7. Parramatta Water Protection Bill; third reading.
8. Reward Fund for Discovery of Gold Fields; consideration in Committee of Address for.

Questions:—

1. MR. LUCAS to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to introduce this Session a measure to regulate the Emigration of Chinese?
2. MR. WILSON to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to order the survey and formation of a road into Kiandra, the newly-discovered Gold Field?
3. MR. RORTON to ask THE COLONIAL SECRETARY,—Why has the Town of Bathurst not been proclaimed a Municipality, in accordance with a Petition from its Inhabitants, praying for its Incorporation?

THURSDAY, FEBRUARY 16.

## GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. BLACK to move for leave to introduce a Bill to provide for the Sale and Management of Public Lands.
2. MR. BLACK to move for leave to introduce a Bill to establish a Tax upon Lands.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—A copy of any Correspondence between the Board of National Education and the Revd. W. Blain, relative to the appointment of that gentleman as Catechist to the National Schools, with a return shewing the amount of remuneration paid to him; with the dates of payment; the nature of the duties to be performed; the number of Schools to be visited; and the number actually visited; together with any Report of the Chief Inspector of National Schools referring to the mode in which the said Catechist discharged his duties, and any Minutes of the National Board relative to that gentleman discontinuing to discharge the duties of Catechist.
2. MR. GRAY to move, That the Petitions from Kiama, Shoalhaven, and Illawarra, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.

## Questions :—

1. MR. ASHER to ask THE SECRETARY FOR LANDS,—Whether the Government intend granting to the Municipality of Albury the Town Common originally petitioned for when applying to be incorporated; and if not, why not?
2. MR. ASHER to ask THE SECRETARY FOR LANDS,—Whether the Government intend placing a sum of money—beyond £140—upon the Estimates, for the repair of the road between Albury and Howlong; also, whether the Government are aware of the enormous traffic upon this road, and the very bad state it is in?

FRIDAY, FEBRUARY 17.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move,—
  1. That this House has had under its consideration certain Resolutions passed by the late Legislative Assembly, on the 6th of August, 1868, to the following effect :—
    - “(1.) That the experience hitherto gained of Steam Communication between Australia and England, *via* India, has led to general disappointment and dissatisfaction in this Colony.
    - “(2.) That any new arrangement for the performance of the Mail Service by the India route, though it ensured postal regularity and speed, would confer no other considerable benefits on New South Wales, while it must necessarily place this community, as the last point of intercourse in the Australian system, at a permanent disadvantage in relation to the Southern Colonies.
    - “(3.) That the interests of New South Wales would be best promoted by opening communication with America and Europe, *via* the Isthmus of Panama.
    - “(4.) That there are reasonable grounds for believing that a line of Steamers, of the requisite power and capacity, running between Sydney and Panama, in addition to the advantages of regular postal communication, would induce spontaneous and valuable passenger traffic to these shores, from the large numbers of persons constantly arriving on the Isthmus from the United States, British North America, and the West Indies, as well as from the Countries of Europe, and from the communities of Anglo-American origin on the Pacific.
    - “(5.) That in coming to a right determination on this subject, the question of cost is not the first for consideration, but that the efficiency of the service to be performed should be secured beyond the probability of failure, and that especial regard should be had to those social and commercial consequences which would tend most to the progress and prosperity of the Colony of New South Wales.”
  2. That this House confirms the foregoing propositions as affirmed by the late Assembly, and is of opinion that the important object thereby contemplated should be carried out with as little delay as possible, and in such manner as will secure to this Colony, the administrative control of the line when established.
  3. That these Resolutions be communicated by Address to His Excellency the Governor General.
2. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1869, the following sums for the erection of Bridges :—
  - £6,000 for the erection of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst to Wagga Wagga and Balranald.
  - £300 for the erection of a Bridge across Ugowra Creek.
  - £300 for the erection of a Bridge across the Belubula Creek on the main road from Bathurst to Nanamai and Balranald.
  - £300 for a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala.



3. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
4. MR. WEEKES to move, That the two Petitions from certain Roman Catholics of East and West Maitland respectively, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.
5. MR. BYRNES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return of all Fees received by the Chief Clerk, and all other Officials under him in the Insolvent Office, for preparing Affidavits for proof of Debts, Insolvency Schedules, Certificates, and Notices of Application for Certificates, and the amount of fees for the same paid into the Treasury for the years 1857 and 1858.
6. MR. HODGSON to move, That the Petition of certain Roman Catholics of Newcastle, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.
7. MR. HODGSON to move, That the following portions of the Return to the Address respecting Lieutenant Scaver, R.N., laid upon the Table of this House by The Honorable the Colonial Treasurer, on the 24th January, be printed, namely,—Pages 17, 27, 33 to 36, 38, 39, 92 to 94, 173 to 178, 267, 268, 309 to 313, 332 to 337, 339 to 340, 344, 349, 352, and 357.
8. MR. DALLEY to move, That the Petitions from the Roman Catholic Inhabitants of Ryde, and the Town and District of Windsor, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.
9. MR. CAMPBELL to move, That the Petition from Balmain, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.
10. MR. CAPE to move, That the Petition from certain Roman Catholics of Brisbane Water against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.
11. MR. PLUNKETT to move, That the two Petitions against the abolition of State Aid, presented by him on the 14th February, be printed.
12. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Copy of the several Deeds of Grant issued to Trustees for the maintenance of Glebes throughout the Colony.
  - (2.) A Return shewing the names of the persons to whom the lands so granted have been leased; the quantity demised in each case; and the amount of annual rent reserved.
  - (3.) The total annual value of the lands granted for each Glebe respectively.
  - (4.) How the revenue is appropriated.

#### ORDERS OF THE DAY :—

1. Capital Punishments Abolition Bill; second reading.
2. Resumption of the adjourned Debate on Dr. Lang's motion,—
 

"(1.) That a Select Committee be appointed to take into consideration, and to report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.

"(2.) That such Committee consist of the following Members, viz. :—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
3. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."
4. Freight and Charges Bill; second reading.

#### Questions :—

1. MR. WILSON to ask THE COLONIAL SECRETARY,—To whom the various Cemeteries in the Colony have been alienated; and if the parties to whom they have been so alienated have absolute control over them as to the interment of persons?
2. MR. HART to ask THE COLONIAL SECRETARY,—
  - (1.) Whether the Government have taken any steps to ascertain the truth of a statement in the daily newspapers—alleged to be derived from the last Report of the Registrar General—that the deaths in Sydney and its Suburbs have progressively increased, from year to year, until, in the City of Sydney, they have reached a higher number than the average mortality of all the Town populations in England; and, in some parts of the Hamlets, a greater number than that which occurs in the unhealthiest Districts in England?
  - (2.) In case the above statement should prove to be in accordance with the fact, whether the Government are prepared to direct an investigation, by its Medical Health Officers, or otherwise, into the causes of the excessive and alarming mortality, both among the infant and adult population above adverted to—with a view of determining whether any, and what, practicable means can be devised to counteract or diminish the evil?
3. MR. WINDEYER to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to place a sum of money on the Estimates for completing the Road from Raymond Terrace to Stockton, in accordance with the Petition of the Inhabitants of the Parading Ground, Tellegera Creek, and Cabbage-tree?

TUESDAY, FEBRUARY 21.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.
2. MR. WILSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £1,000, for the erection of an Experimental Quartz Crushing Machine at the Royal Mint.
3. MR. CAPE to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate an additional sum of £15,000 in aid of National Education, for the year 1860.
4. MR. TERRY to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the current year, a sum of money not exceeding £7,000 for a Court House and Gaol at Mudgee.

Question:—

1. MR. CLEMENTS to ask THE COLONIAL SECRETARY,—Whether the Government intend establishing Local Offices at Bathurst and other chief Towns of populous Districts, for the registration of Title Deeds and other documents relating to real property?

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WEDNESDAY, FEBRUARY 22.

GOVERNMENT BUSINESS—ORDER OF THE DAY.

1. Elective Legislative Council Bill; second reading.

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FRIDAY, MARCH 2.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Lien on Wool Act Continuation Bill; second reading.
2. Necropolis Act Extension Bill; to be further considered in Committee.

T. A. MURRAY,  
*Speaker.*

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No. 61.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 15 FEBRUARY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Mudbank and Cook's River Road Toll-bar:—Mr. McArthur presented a Petition from the Inhabitants of the Redfern Municipality, complaining of the erection of a Toll-bar and Buildings, by the Trustees of the Mudbank and Cook's River Road, on the junction of three of the principal streets within the said Municipality; and praying relief.  
Petition received.
2. Paper:—Mr. Forster laid upon the Table, Correspondence relating to an offer of the Australasian and Pacific Company for the performance of Steam Postal Service *via* Panama.  
Ordered to be printed.
3. State Aid to Religion:—Mr. Clements presented a Petition from the Roman Catholic Inhabitants of the District of Hartley, against the withdrawal of State Aid to Religion.  
Petition received.
4. State Aid to Religion Abolition Bill:—Mr. Forster moved, pursuant to notice, for leave to introduce a Bill to abolish State Aid to Religion.  
Debate ensued.  
Question put.  
The House divided.

Ayes, 28.

Mr. Forster,	Mr. Dalley,
Mr. Samuel,	Mr. Weekes,
Mr. Black,	Mr. Jenkins,
Mr. Morris,	Mr. Broughton,
Mr. Windleyer,	Mr. Arnold,
Mr. Piddington,	Mr. Lucas,
Mr. Ashur,	Mr. Hay,
Mr. Rotton,	Mr. Jones,
Mr. Nott,	Mr. Pemell,
Mr. Hoskins,	Mr. Dickson,
Mr. Wisdom,	Mr. Plunkett,
Mr. Parkes,	Rev. Dr. Lang,
Mr. McArthur,	Mr. Byrnes,
Mr. Atkinson,	Mr. Wilson,

} Tellers.

Noes, 12.

Mr. Terry,
Mr. Egan,
Mr. Russell,
Mr. Close,
Mr. Hyeronimus,
Mr. Oxley,
Mr. Loder,
Mr. Campbell,
Mr. Wild,
Mr. Macleay,
Mr. Hawkins,
Mr. Clements,

} Tellers.

Ordered, That the Mover and Seconder prepare and bring in the Bill.

5. Official Salaries Alteration Bill:—Mr. Forster moved, pursuant to notice, for leave to introduce a Bill to alter and amend the Law relating to the Salaries of certain Public Officers.  
Question put and passed;—Ordered, that the Mover and Seconder prepare and bring in the Bill.
6. State Aid to Religion Abolition Bill:—Mr. Forster having presented this Bill, Bill, intituled "*A Bill to abolish State Aid to Religion*,"—read a first time; ordered to be printed, and read a second time this day fortnight.
7. Official Salaries Alteration Bill:—Mr. Forster having presented this Bill, Bill, intituled, "*A Bill to alter and amend the Law relating to the Salaries of certain Public Officers*,"—read a first time; ordered to be printed, and read a second time this day week.
8. Grievances:—Mr. Parkes, as Chairman, brought up a Progress Report from the Select Committee on Grievances, in reference to the case of John Malley, whose Petition was referred to the Committee on the 6th December last.  
Ordered to be printed.

9. **Telegraphic Communication with the United Kingdom :—**Mr. Forster moved, pursuant to notice, That the following Resolution, agreed to by this House on 2nd February, instant, namely,—

“ Resolved, That an Address be presented to His Excellency the Governor General, embodying the following Resolutions :—

“ 1. That this House is of opinion that the Government of this Colony should be authorised to grant a subsidy not exceeding £9,625 per annum, for a term not exceeding twenty-one years, to any Company; of the stability of which satisfactory assurance shall be given, to induce such Company to construct and maintain a Telegraphic Line, from this Colony to East Java, upon the following conditions, that is to say :—

“ (1.) That the Government of Victoria shall make arrangements with such Company, by subsidy or otherwise, for the residue, over and above the annual subsidy of this Colony, necessary for the carrying out of the work.

“ (2.) That the period within which the first call of the subscribed capital of the Company shall be made, shall be limited to twelve calendar months from the date of the concurrence of the Colony of Victoria in the preceding condition.

“ (3.) That the whole work shall be completed and in effective operation within three years from the present date; subject, however, to such extension of the time, to meet possible contingencies, as may hereafter be agreed upon.

“ (4.) That the proposed subsidy shall be proportionally payable on the capital of the Company as paid up.

“ (5.) That the payment of the said subsidy shall be conditional on the maintenance of the Line in effective working order, and that no payment shall be made until the Line is completed.

“ (6.) That no Tariff of charges shall be established without the concurrence of this Colony.

“ (7.) That in the event of the net profits of the Company exceeding in any year the rate of ten per cent. per annum, such excess shall be rateably applied to reduce the respective contributions of this Colony and of Victoria.

“ 2. That steps be taken without delay to communicate with and settle the proportionate contributions of the other Colonies in aid of the respective contributions of New South Wales and Victoria.”—

be communicated by Message to the Legislative Council, requesting their concurrence therein.

Debate ensued.

Motion by leave withdrawn.

10. **Members of the Legislative Council as Witnesses :—**The Speaker reported the following Messages from the Legislative Council :—

(1.) **MR. SPEAKER,**

In answer to the Message from the Legislative Assembly, dated the 14th instant, requesting leave for the Honorable John Fletcher Hargrave, a Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly on the present state of the University of Sydney, the Council acquaints the Assembly that leave has been granted to its said Member to attend and be examined by the said Committee, if he think fit.

W. W. BURTON,  
President.

Legislative Council Chamber,  
Sydney, 15th February, 1860.

(2.) **MR. SPEAKER,**

In answer to the Message from the Legislative Assembly, dated the 3rd instant, requesting leave for the Honorable Robert Fitzgerald, a Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly on the Condition of the Working Classes of the Metropolis, the Council acquaints the Assembly that leave has been granted to its said Member to attend and be examined by the said Committee, if he think fit.

W. W. BURTON,  
President.

Legislative Council Chamber,  
Sydney, 15th February, 1860.

(3.) **MR. SPEAKER,**

In answer to the Message from the Legislative Assembly, dated the 7th instant, requesting leave for the Honorable James Robert Wilshire, a Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly on the Condition of the Working Classes of the Metropolis, the Council acquaints the Assembly that leave has been granted to its said Member to attend and be examined by the said Committee, if he think fit.

W. W. BURTON,  
President.

Legislative Council Chamber,  
Sydney, 15th February, 1860.

11. **State Aid to Religion :—**Mr. Hay presented a Petition from certain Inhabitants of the District of Albury, against the withdrawal of State Aid to Religion.  
Petition received.

12. **Postponement :—**The Resumption of the Committee of Ways and Means postponed, on motion of Mr. Samuel, until this day week.

13. Seamen's Engagement Amendment Bill, on motion of Mr. Samuel, read a third time.

Mr. Samuel then moved, That this Bill do now *pass*.

Question put.

The House divided.

Ayes, 33.

Mr. Black,	Mr. Macleay,	
Mr. Samuel,	Mr. Hawkins,	
Mr. Nott,	Mr. Jenkins,	
Mr. Wisdom,	Mr. Wild,	
Mr. Morris,	Mr. Jones,	
Mr. Hodgson,	Mr. Hamilton,	
Mr. Russell,	Mr. Clements,	
Mr. Lyons,	Mr. Loder,	
Mr. Parkes,	Mr. Hay,	
Mr. Byrne,	Mr. Cape,	
Mr. Oxley,	Mr. Plunkett,	
Mr. Hyeronimus,	Mr. Gray,	
Mr. Piddington,	Rev. Dr. Lang,	
Mr. Weekes,	Mr. Forster,	
Mr. Mort,	Mr. Robertson,	} Tellers.
Mr. Close,	Mr. Wilson,	
Mr. Broughton,		

Noes, 7.

Mr. Egan,	
Mr. Asher,	
Mr. Lucas,	
Mr. Campbell,	
Mr. Pemell,	
Mr. Terry,	} Tellers.
Mr. Hoskins,	

Mr. Samuel then moved, That the Title of this Bill be, "*An Act to facilitate the Engagement of Seamen for the Colonial Trade.*"

Question put and passed.

Whereupon Mr. Samuel moved, That this Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to facilitate the Engagement of Seamen for the Colonial Trade,*" begs to present the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,*  
*Sydney, 15 February, 1860.*

Speaker.

Question put and passed.

14. Supply:—On the motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the supply to be granted to Her Majesty for the service of the year 1859-60.

The Chairman reported that the following point of Order, upon which the Speaker's opinion was desired, had arisen in the Committee, with reference to the practical application of the new rules adopted as a Sessional Order of this House on the 25th of January last:—

A vote for £54,725, comprising, among other items, one for £550, had been proposed by a Minister;—

A motion was made to reduce this item by £100; and subsequently another, to omit the item altogether, was offered, but rejected by the Chairman, on the ground that, under the first of the new rules, a second amendment could not be received until the first should have been disposed of.

The reference to the Speaker was for the purpose of ascertaining the correct practice under the circumstances.

The Speaker stated that, in his opinion, the case was one to which the first of the rules in question clearly applied;—that, while the old parliamentary rule respecting a greater or lesser sum applied to aggregate votes, the new rules applied especially to the Items which composed those Votes;—and that, therefore, as the first motion made had been for the reduction of the Item by £100, no other question as regarded that Item could be entertained until such first motion had been disposed of.

Whereupon, on motion of Mr. Samuel, the Committee of Supply resumed.

The Chairman reported progress, and obtained leave to sit again to-morrow.

The House adjourned, on motion of Mr. Forster, at five minutes before Twelve o'clock, until Three o'clock to-morrow.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, FEBRUARY 16.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. BLACK to move for leave to introduce a Bill to provide for the Sale and Management of Public Lands.
2. MR. BLACK to move for leave to introduce a Bill to establish a Tax upon Lands.

ORDERS OF THE DAY:—

1. Supply; Resumption of the Committee.
2. Harbor, Pilotage, and Navigation Bill; second reading.

OTHER

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—  
A copy of any Correspondence between the Board of National Education and the Revd. W. Blain, relative to the appointment of that gentleman as Catechist to the National Schools, with a return shewing the amount of remuneration paid to him; with the dates of payment; the nature of the duties to be performed; the number of Schools to be visited; and the number actually visited; together with any Report of the Chief Inspector of National Schools referring to the mode in which the said Catechist discharged his duties, and any Minutes of the National Board relative to that gentleman discontinuing to discharge the duties of Catechist.
2. MR. GRAY to move, That the Petitions from Kiama, Shoalhaven, and Illawarra, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.
3. MR. CLEMENTS to move, That the Petition presented by him on the 15th February, from the Roman Catholics of Hartley, against the abolition of State Aid to Religion, be printed.
4. MR. FORSTER to move, That the Petition of certain Roman Catholics of Queanbeyan, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.
5. MR. WILD to move, That there be laid upon the Table of this House, Copies of all Depositions taken at the Police Office, Sydney, in the case of Jane Ledden, who was lately committed to take her trial at the Central Criminal Court for concealing the birth of a child.
6. MR. CLEMENTS to move, That the Petition from certain Catholics of Bathurst, presented by him on the 14th February, be printed.
7. MR. WILD to move, That the Petition from Berrima, relative to Education, presented by him on 14th February, be printed.
8. MR. DARVALL to move for leave to bring in a Bill to amend the Law regulating Public Ferries.
9. MR. OXLEY to move,—  
(1.) That the hour, as at present fixed, for the arrival in Sydney of the Mails from the Southern Districts, causes great and unnecessary inconvenience to the inhabitants of that portion of the Colony.  
(2.) That an Address embodying the above Resolution be presented to His Excellency the Governor General.
10. MR. DARVALL to move for leave to introduce a Bill to amend the Law regulating Bank Returns and Abstracts.
11. MR. DICKSON to move,—  
(1.) That a Select Committee be appointed to inquire into and report upon the allegations contained in the Petition of the Inhabitants of Maitland, having reference to Pasture Reserves, presented to this House on the 31st January; and that such Committee have power to send for persons and papers.  
(2.) That the Committee consist of the following Members :—Mr. Black, Mr. Faucett, Mr. Jones, Mr. Weekes, Mr. Close, Mr. Cape, Mr. Robertson, Mr. Arnold, Mr. Wisdom, and the Mover.
12. MR. WEEKES to move, That the Petition respecting Special Roman Catholic Education, presented by him on the 9th February, be printed.
13. MR. DARVALL to move, that the Petition from the Churchwardens of St. Andrew's, presented by him on the 25th January, be now taken into consideration.
14. MR. WINDEYER to move, That the Petition from Raymond Terrace, relative to Special Roman Catholic Education, presented by him on the 10th February, be printed.
15. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
16. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—  
(1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.  
(2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.  
(3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.  
(4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
17. MR. ROBERTS to move, That the Petition of certain Members of the Odd Fellows' Society, presented by him on the 10th February, be printed.
18. MR. PARKES to move, That the Petition of Edward Farbrother, presented by him on the 9th February, be printed.
19. MR. DALLEY to move,—  
(1.) That the Hawkesbury Benevolent Society's Act Incorporation Amendment Bill be referred for the consideration and report of a Select Committee.  
(2.) That such Committee consist of Mr. Arnold, Mr. Hay, Mr. Plunkett, Mr. Darvall, Mr. Piddington, Mr. Atkinson, and the Mover.

20. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates, a sum not exceeding £250 each, as Salaries for the Clergymen resident on the several Gold Fields of New South Wales.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Newcastle Wallsend Coal Company's Railway Bill; to be further considered in Committee.
2. Revenue and Audit Bill; second reading.
3. Tanners' and Curriers' Bill; second reading.
4. Wesley College Bill; second reading.
5. Sydney Insurance Company's Act Amendment Bill; second reading.
6. Law of Primogeniture Abolition Bill; second reading.
7. Parramatta Water Protection Bill; third reading.
8. Reward Fund for Discovery of Gold Fields; consideration in Committee of Address for.

Questions :—

1. MR. ASHER to ask THE SECRETARY FOR LANDS,—Whether the Government intend granting to the Municipality of Albury the Town Common originally petitioned for when applying to be incorporated; and if not, why not?
2. MR. ASHER to ask THE SECRETARY FOR LANDS,—Whether the Government intend placing a sum of money—beyond £140—upon the Estimates, for the repair of the road between Albury and Howlong; also, whether the Government are aware of the enormous traffic upon this road, and the very bad state it is in?
3. MR. WILD to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to take immediate steps for the repair of the Camden, and the reconstruction of the Berrima Bridge—the former having been seriously damaged, and the latter entirely destroyed by the late floods?

FRIDAY, FEBRUARY 17.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move,—
  1. That this House has had under its consideration certain Resolutions passed by the late Legislative Assembly, on the 6th of August, 1858, to the following effect:—
 

“(1.) That the experience hitherto gained of Steam Communication between Australia and England, *via* India, has led to general disappointment and dissatisfaction in this Colony.

“(2.) That any new arrangement for the performance of the Mail Service by the India route, though it ensured postal regularity and speed, would confer no other considerable benefits on New South Wales, while it must necessarily place this community, as the last point of intercourse in the Australian system, at a permanent disadvantage in relation to the Southern Colonies.

“(3.) That the interests of New South Wales would be best promoted by opening communication with America and Europe, *via* the Isthmus of Panama.

“(4.) That there are reasonable grounds for believing that a line of Steamers, of the requisite power and capacity, running between Sydney and Panama, in addition to the advantages of regular postal communication, would induce spontaneous and valuable passenger traffic to these shores, from the large numbers of persons constantly arriving on the Isthmus from the United States, British North America, and the West Indies, as well as from the Countries of Europe, and from the communities of Anglo-American origin on the Pacific.

“(5.) That in coming to a right determination on this subject, the question of cost is not the first for consideration, but that the efficiency of the service to be performed should be secured beyond the probability of failure, and that especial regard should be had to those social and commercial consequences which would tend most to the progress and prosperity of the Colony of New South Wales.”
  2. That this House confirms the foregoing propositions as affirmed by the late Assembly, and is of opinion that the important object thereby contemplated should be carried out with as little delay as possible, and in such manner as will secure to this Colony, the administrative control of the line when established.
  3. That these Resolutions be communicated by Address to His Excellency the Governor General.
2. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the following sums for the erection of Bridges :—
 

£6,000 for the erection of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst to Wagga Wagga and Balranald.

£300 for the erection of a Bridge across Ugowra Creek.

£300 for the erection of a Bridge across the Belubula Creek on the main road from Bathurst to Nanamai and Balranald.

£300 for a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala.

3. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
4. MR. WEEKES to move, That the two Petitions from certain Roman Catholics of East and West Maitland respectively, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.
5. MR. BYRNES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return of all Fees received by the Chief Clerk, and all other Officials under him in the Insolvent Office, for preparing Affidavits for proof of Debts, Insolvency Schedules, Certificates, and Notices of Application for Certificates, and the amount of fees for the same paid into the Treasury for the years 1857 and 1858.
6. MR. HODGSON to move, That the Petition of certain Roman Catholics of Newcastle, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.
7. MR. HODGSON to move, That the following portions of the Return to the Address respecting Lieutenant Seaver, R.N., laid upon the Table of this House by The Honorable the Colonial Treasurer, on the 24th January, be printed, namely,—Pages 17, 27, 33 to 36, 38, 39, 92 to 94, 173 to 178, 267, 268, 309 to 313, 332 to 337, 339 to 340, 344, 349, 352, and 357.
8. MR. DALLEY to move, That the Petitions from the Roman Catholic Inhabitants of Ryde, and the Town and District of Windsor, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.
9. MR. CAMPBELL to move, That the Petition from Balmain, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.
10. MR. CAPE to move, That the Petition from certain Roman Catholics of Brisbane Water against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.
11. MR. PLUNKETT to move, That the two Petitions against the abolition of State Aid, presented by him on the 14th February, be printed.
12. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Copy of the several Deeds of Grant issued to Trustees for the maintenance of Globes throughout the Colony.
  - (2.) A Return shewing the names of the persons to whom the lands so granted have been leased; the quantity demised in each case; and the amount of annual rent reserved.
  - (3.) The total annual value of the lands granted for each Glebe respectively.
  - (4.) How the revenue is appropriated.
13. MR. MCARTHUR to move, That the Petition of certain Residents in the Municipality of Redfern, relative to the Mudbank and Cook's River Road Toll-bar, presented by him on the 15th February, be printed.
14. MR. PARKES to move, That the Progress Report from the Select Committee to whom was referred the Petition of Mr. John Malley, be transmitted by Address to His Excellency the Governor General, with a request that the Petitioner's claim to the reimbursement of £38 10s., as therein set forth, may be considered.
15. MR. HAY to move, That the Petition from Albury, against the abolition of State Aid to Religion, presented by him on the 15th February, be printed.

#### ORDERS OF THE DAY:—

1. Capital Punishments Abolition Bill; second reading.
2. Resumption of the adjourned Debate on Dr. Lang's motion,—
  - "(1.) That a Select Committee be appointed to take into consideration, and to report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
  - "(2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
3. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."
4. Freight and Charges Bill; second reading.

#### Questions:—

1. MR. WILSON to ask THE COLONIAL SECRETARY;—To whom the various Cemeteries in the Colony have been alienated; and if the parties to whom they have been so alienated have absolute control over them as to the interment of persons?
2. MR. HART to ask THE COLONIAL SECRETARY,—
  - (1.) Whether the Government have taken any steps to ascertain the truth of a statement in the daily newspapers—alleged to be derived from the last Report of the Registrar General—that the deaths in Sydney and its Suburbs have progressively increased, from year to year, until, in the City of Sydney, they have reached a higher number than the average mortality of all the Town populations in England; and, in some parts of the Hamlets, a greater number than that which occurs in the unhealthiest Districts in England?

(2.)



- (2.) In case the above statement should prove to be in accordance with the fact, whether the Government are prepared to direct an investigation, by its Medical Health Officers, or otherwise, into the causes of the excessive and alarming mortality, both among the infant and adult population above adverted to—with a view of determining whether any, and what, practicable means can be devised to counteract or diminish the evil?
3. MR. WINDEYER *to ask* THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to place a sum of money on the Estimates for completing the Road from Raymond Terrace to Stockton, in accordance with the Petition of the Inhabitants of the Parading Ground, Tellegera Creek, and Cabbagetree?
4. MR. HAWKINS *to ask* THE SECRETARY FOR LANDS,—  
 (1.) Whether the Government contemplate extending to the Residents on the Wattle Flat a pre-emptive right, similar to that granted to the Residents at Sofala, to purchase the Land on which they have made considerable improvements?  
 (2.) Are there any objections to offering small farms of from twenty to thirty acres for sale on the Wattle Flat; the Land there being fit for cultivation, and holding out strong inducements to its settlement by an agricultural population?
5. MR. GRAY *to ask* THE SECRETARY FOR LANDS,—When the Returns ordered by this House on the 9th December last, in reference to lands alienated by the Crown, and moneys spent on Public Works in the District of Kiama, will be laid upon the Table?

TUESDAY, FEBRUARY 21.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.
2. MR. WILSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £1,000, for the erection of an Experimental Quartz Crushing Machine at the Royal Mint.
3. MR. CAPE to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate an additional sum of £15,000 in aid of National Education, for the year 1860.
4. MR. TERRY to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the current year, a sum of money not exceeding £7,000 for a Court House and Gaol at Mudgee.

Questions:—

1. MR. CLEMENTS *to ask* THE COLONIAL SECRETARY,—Whether the Government intend establishing Local Offices at Bathurst and other chief Towns of populous Districts, for the registration of Title Deeds and other documents relating to real property?
2. MR. LUCAS *to ask* THE SECRETARY FOR LANDS,—When the Government intend to pay those persons for the lands through which the Railway passes from Liverpool to Campbelltown?

WEDNESDAY, FEBRUARY 22.

Contingent Notice of Motion:—

1. DR. LANG to move (*on the proposal of the Honorable the Colonial Secretary to move the second reading of the Elective Legislative Council Bill*),—That, in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Elective Legislative Council Bill; second reading.
2. Official Salaries Alteration Bill; second reading.
3. Ways and Means; Resumption of the Committee.

WEDNESDAY, FEBRUARY 29.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. State Aid to Religion Abolition Bill; second reading.

FRIDAY,

FRIDAY, MARCH 2.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG to move,—

(1.) That a Select Committee be appointed to take into consideration the subject of the federation of the Australian Colonies, with a view to ascertain what are the specific objects which it would be desirable to attain through such federation, and whether in the existing circumstances of these Colonies federation is at all practicable.

(2.) That such Committee consist of the following Members, viz. :—Mr. Arnold, Mr. Black, Mr. Campbell, Mr. Hay, Mr. Jones, Mr. Morris, Mr. Parkes, Mr. Robertson, Mr. Rotton, and the Mover.

ORDERS OF THE DAY :—

1. Lien on Wool Act Continuation Bill; second reading.
2. Necropolis Act Extension Bill; to be further considered in Committee.

T. A. MURRAY,  
*Speaker.*

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No. 62.

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## VOTES AND PROCEEDINGS

OF THE

# LEGISLATIVE ASSEMBLY.

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THURSDAY, 16 FEBRUARY, 1860.

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

Papers :—

(1.) Mr. Samuel laid upon the Table, Despatch from the Duke of Newcastle, dated 4th December, 1859, (with Enclosures), relative to Coinage at the Sydney Branch of the Royal Mint.

(2.) Mr. Black laid upon the Table, Appendix containing the Tables referred to in the Third Report on Internal Communication.

Ordered to be printed.

2. Motion for Adjournment :—Mr. Windeyer moved, That this House do now adjourn.

Debate ensued.

Motion by leave withdrawn.

3. State Aid to Religion :—The undermentioned Petitions, against the withdrawal of State Aid to Religion, were presented,—

By Mr. Martin :—

(1.) From 411 Catholics of the City of Sydney.

(2.) From 354 Catholics of the City of Sydney.

(3.) From the Catholics of the District of St. Leonard's.

(4.) From certain Members of the Church of England and Parishioners of St. Michael's, Surry Hills, Sydney.

By Mr. Wilson :—

(5.) From the Catholics of Braidwood District.

Petitions received.

4. Loan Bill for 1860 :—The Speaker reported that the following Message had been received from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to enable the Government to raise a certain Loan to meet Debentures falling due in 1860*," returns the same to the Legislative Assembly without amendment.

W. W. BURTON,  
President.

Legislative Council Chamber,  
Sydney, 16th February, 1860.

5. Public Lands Bill :—

(1.) Mr. Black moved, pursuant to notice, for leave to introduce a Bill to provide for the Sale and Management of Public Lands.

Debate ensued.

Question put and passed ;—*Ordered*, that the Mover and Seconder prepare and bring in the Bill.

(2.) Mr. Black having presented this Bill, intituled "*A Bill to provide for the Sale and Management of Public Lands*," read a first time; ordered to be printed, and read a second time this day month.

## 6. Land Tax Bill :—

(1.) Mr. Black moved, pursuant to notice, for leave to introduce a Bill to establish a Tax upon Lands.  
 Debate ensued.  
 Question put.  
 The House divided.

Ayes, 37.

Mr. Forster,	Mr. Weekes,	
Mr. Black,	Mr. Russell,	
Mr. Sammel,	Mr. Oxley,	
Mr. Jenkins,	Mr. Jones,	
Mr. Hamilton,	Mr. Nott,	
Mr. Hoskins,	Mr. Close,	
Mr. Robertson,	Mr. Parkes,	
Mr. Wisdom,	Mr. Hawkins,	
Mr. Lucas,	Mr. Hyeronimus,	
Mr. Windeyer,	Mr. Parnell,	
Mr. Clements,	Mr. Hurley,	
Mr. Watt,	Mr. Broughton,	
Mr. Dickson,	Mr. Cape,	
Mr. Wild,	Mr. Plunkett,	
Mr. Irving,	Mr. Loder,	
Mr. Dalley,	Mr. Morris,	
Mr. Wilson,	Mr. Byrnes,	} Tellers.
Mr. Laycock,	Mr. Arnold,	
Mr. Gordon,		

Noes, 6.

Mr. Terry,	
Mr. Cummings,	
Mr. Cooper,	
Mr. Egan,	
Mr. Macleay,	} Tellers.
Mr. Piddington,	

Ordered, That the Mover and Seconder prepare and bring in the Bill.

(2.) Mr. Black having presented this Bill, Bill, intituled "*A Bill to establish a Tax upon Land*," read a first time.

Mr. Black then moved, That this Bill be printed and read a second time this day month.

Debate ensued.

Question put and passed.

## 7. Postponements :—

(1.) The resumption of the Committee of Supply postponed, on motion of Mr. Samuel, until Wednesday next.

(2.) The second reading of the Harbor, Pilotage, and Navigation Bill postponed, on motion of Mr. Samuel, until Wednesday next.

## 8. Catechists to National Schools :—Mr. Windeyer moved, pursuant to amended notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—A copy of all Correspondence of the Board of National Education relative to the appointment of Catechists to the National Schools, with a return shewing the amount of remuneration paid to them; the dates of payment; the nature of the duties to be performed; the number of Schools to be visited; and the number actually visited; together with any Report of the Chief Inspector of National Schools referring to the mode in which any of the Catechists discharged their duties, and any Minutes of the National Board relative to the discontinuance by any one of them to discharge his duties of Catechist.

Question put and passed.

## 9. State Aid to Religion :—

(1.) Mr. Wisdom moved, pursuant to notice standing in the name of Mr. Gray, That the Petitions from Kiama, Shoalhaven, and Illawarra, against the abolition of State Aid to Religion, presented by Mr. Gray on the 14th February, be printed.

Question put and passed.

Ordered to be printed.

(2.) Mr. Clements moved, pursuant to notice, That the Petition presented by him on the 15th February, from the Roman Catholics of Hartley, against the abolition of State Aid to Religion, be printed.

Question put and passed.

Ordered to be printed.

(3.) Mr. Forster moved, pursuant to notice, That the Petition of certain Roman Catholics of Queanbeyan, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.

Question put and passed.

Ordered to be printed.

## 10. Jane Ledden :—Mr. Wild moved, pursuant to amended notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—

(1.) Copies of all Depositions taken at the Police Office, Sydney, in the case of Jane Ledden, who, about eight weeks since, was committed to take her trial at the Central Criminal Court for concealing the birth of a child.

(2.) Copies of all Depositions taken in the case of Mrs. Smith, who, on or about the same date, was committed to take her trial for aiding and abetting in the commission of the alleged offence.

Debate ensued.

Question put.

The House divided.

Ayes,

## Ayes, 30.

Mr. Jenkins,	Mr. Piddington,
Mr. Wild,	Mr. Cape,
Mr. Hart,	Rev. Dr. Lang,
Mr. Arnold,	Mr. Hyrnes,
Mr. Windeyer,	Mr. Forster,
Mr. Faucett,	Mr. Black,
Mr. Hurley,	Mr. Wilson,
Mr. Wisdom,	Mr. Robertson,
Mr. Hoskins,	Mr. Irving,
Mr. Oxley,	Mr. Lucas,
Mr. Jones,	Mr. Weekes,
Mr. Dickson,	Mr. Jaycock,
Mr. Morris,	Mr. Terry,
Mr. Parkes,	Mr. Broughton,
Mr. Cummings,	Mr. Close,

## Noes, 3.

Mr. Samuel,	} Tellers.
Mr. Loder,	
Mr. Plunkett,	

11. State Aid to Religion :—Mr. Oxley moved, pursuant to notice, standing in the name of Mr. Clements, That the Petition from certain Catholics of Bathurst, presented by Mr. Clements, on the 14th February, be printed.  
Question put and passed.  
Ordered to be printed.
12. Public Education by means of Duties on Tea and Sugar :—Mr. Wild moved, pursuant to notice, That the Petition from Berrima, relative to Education, presented by him on 14th February, be printed.  
Question put and passed.  
Ordered to be printed.
13. Postponement :—Mr. Parkes postponed the motion standing in the name of Mr. Darvall, No. 8, on the Notice Paper of Other Business for to-day, until to-morrow.
14. Motion withdrawn :—Mr. Oxley withdrew the motion standing in his name, No. 9 on the Notice Paper of Other Business for to-day.
15. Postponement :—Mr. Parkes postponed the motion standing in the name of Mr. Darvall, No. 10 on the Notice Paper of Other Business for to-day, until to-morrow.
16. Maitland Pasturage Reserve :—Mr. Dickson moved, pursuant to notice,—  
(1.) That a Select Committee be appointed to inquire into and report upon the allegations contained in the Petition of the Inhabitants of Maitland, having reference to Pasture Reserves, presented to this House on the 31st January; and that such Committee have power to send for persons and papers.  
(2.) That the Committee consist of the following Members :—Mr. Black, Mr. Faucett, Mr. Jones, Mr. Weekes, Mr. Close, Mr. Cape, Mr. Robertson, Mr. Arnold, Mr. Wisdom, and the Mover.  
Question put and passed.
17. Special Roman Catholic Education :—Mr. Weekes moved, pursuant to notice, That the Petition respecting Special Roman Catholic Education, presented by him on the 9th February, be printed.  
Question put and passed.  
Ordered to be printed.
18. Postponement :—Mr. Parkes postponed the motion standing in the name of Mr. Darvall, No. 13 on the Notice Paper of Other Business for to-day, until to-morrow.
19. Special Roman Catholic Education :—Mr. Windeyer moved, pursuant to notice, That the Petition from Raymond Terrace, relative to Special Roman Catholic Education, presented by him on the 10th February, be printed.  
Question put and passed.  
Ordered to be printed.
20. Postponements :—  
(1.) Mr. Robertson postponed the motion standing in his name, No. 15 on the Notice Paper of Other Business for to day, until this day week.  
(2.) Mr. Parkes postponed the motion standing in his name, No. 16 on the Notice Paper of Other Business for to-day, until to-morrow week.
21. Site for Odd Fellows' Hall, Goulburn :—Mr. Roberts moved, pursuant to notice, That the Petition of certain Members of the Odd Fellows' Society, presented by him on the 10th February, be printed.  
Question put and passed.  
Ordered to be printed.
22. Edward Farbrother :—Mr. Parkes moved, pursuant to notice, That the Petition of Edward Farbrother, presented by him on the 9th February, be printed.  
Question put and passed.  
Ordered to be printed.
23. Hawkesbury Benevolent Society's Act Amendment Bill :—Mr. Parkes having, on behalf of Mr. Dalley, produced the usual Certificate of the payment of the sum of Twenty-five pounds to the Credit of the Consolidated Revenue Fund of the Colony, (*which was omitted to be produced on the first reading on the 10th instant, under a misapprehension of the nature of this Bill*), moved, pursuant to amended notice standing in the name of Mr. Dalley,—  
(1.) That the Hawkesbury Benevolent Society's Act Amendment Bill be referred for the consideration and report of a Select Committee.  
(2.) That such Committee consist of Mr. Arnold, Mr. Hay, Mr. Plunkett, Mr. Darvall, Mr. Piddington, Mr. Atkins, and Mr. Dalley.  
Question put and passed.

24. Motion withdrawn:—Mr. Cummings withdrew the motion standing in his name, No. 20 on the Notice Paper of Other Business for to-day.
25. Newcastle Wallsend Coal Company's Railway Bill:—On the Order of the Day being read, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, for the further consideration of this Bill.  
The Chairman having reported the Bill without Amendment, the House adopted the same, and ordered the third reading of the Bill, as so reported, to stand an Order of the Day for to-morrow.
26. Postponements:—  
(1.) The second reading of the Revenue and Audit Bill postponed, on motion of Mr. Morris, until Tuesday week.  
(2.) The second reading of the Tanners' and Curriers' Bill postponed, on motion of Mr. Parkes, until Tuesday week.  
(3.) The second reading of the Wesley College Bill postponed, on motion of Mr. Byrnes, until Tuesday week.
27. Sydney Insurance Company's Act Amendment Bill:—On motion of Mr. Weekes read a second time,—  
Whereupon, on motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, for the consideration of this Bill.  
The Chairman having reported the Bill without amendment, the House adopted the same, and ordered the third reading of the Bill, as so reported, to stand an Order of the Day for to-morrow.
28. Postponement:—The second reading of the Law of Primogeniture Abolition Bill postponed, on motion of Mr. Weekes, until to-morrow week.
29. Parramatta Water Protection Bill:—On motion of Mr. Byrnes, read a third time, and passed.  
Mr. Byrnes then moved, That the Title of this Bill be, "*An Act to protect from pollution the Fresh Water collected for the supply of the Inhabitants of the Town and Suburbs of Parramatta.*"  
Question put and passed.  
Whereupon Mr. Byrnes moved, That this Bill be carried to the Legislative Council, with the following Message:—  
MR. PRESIDENT,  
The Legislative Assembly having this day passed a Bill, intituled "*An Act to protect from pollution the Fresh Water collected for the Supply of the Inhabitants of the Town and Suburbs of Parramatta,*" begs to present the same to the Legislative Council for its concurrence.  
*Legislative Assembly Chamber,*  
*Sydney, 16th February, 1860.*  
Speaker.
- Question put and passed.
30. Reward Fund for Discovery of New Gold Fields:—On the Order of the Day being read, Mr. Hoskins moved, That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the "present" year the sum of £3,000, as a Reward Fund for the discovery of new Gold Fields. (*The motion for the Committal of this question, as passed on the 7th instant, having been previously amended, with the concurrence of the House, by the substitution of the word "present" for "ensuing."*)  
Question put.  
The House divided.

Ayes 19.		Noes, 8.
Mr. Jenkins,	Mr. Laycock,	Mr. Black,
Mr. Morris,	Mr. Gordon,	Mr. Jones,
Mr. Cummings,	Mr. Loder,	Mr. Forster,
Mr. Robertson,	Mr. Irving,	Mr. Samuel,
Mr. Windeyer,	Mr. Hart,	Mr. Oxley,
Mr. Wisdom,	Mr. Roberts,	Mr. Close,
Mr. Hoskins,	Mr. Plunkett,	Mr. Byrnes,
Mr. Lucas,	Mr. Broughton,	} Tellers.
Mr. Weekes,	Mr. Wilson,	
Mr. Parkes,		

Whereupon the House resolved itself into the said Committee.  
And the Committee continuing to sit till after Midnight,—

#### FRIDAY, 17 FEBRUARY, 1860., A.M.

The Chairman reported that the Committee had agreed to the following Resolution:—

Resolved, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the present year the sum of £3,000, as a Reward Fund for the discovery of New Gold Fields.

Whereupon Mr. Hoskins moved, That this House do now adopt this Resolution.

Question put and passed.

The House adjourned at twenty-five minutes after Twelve o'clock, A.M., until Three o'clock, P.M., this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, FEBRUARY 17.

## OTHER BUSINESS—NOTICES OF MOTION :—

## 1. MR. PARKES to move,—

1. That this House has had under its consideration certain Resolutions passed by the late Legislative Assembly, on the 6th of August, 1858, to the following effect :—

“(1.) That the experience hitherto gained of Steam Communication between Australia and England, *via* India, has led to general disappointment and dissatisfaction in this Colony.

“(2.) That any new arrangement for the performance of the Mail Service by the India route, though it ensured postal regularity and speed, would confer no other considerable benefits on New South Wales, while it must necessarily place this community, as the last point of intercourse in the Australian system, at a permanent disadvantage in relation to the Southern Colonies.

“(3.) That the interests of New South Wales would be best promoted by opening communication with America and Europe, *via* the Isthmus of Panama.

“(4.) That there are reasonable grounds for believing that a line of Steamers, of the requisite power and capacity, running between Sydney and Panama, in addition to the advantages of regular postal communication, would induce spontaneous and valuable passenger traffic to these shores, from the large numbers of persons constantly arriving on the Isthmus from the United States, British North America, and the West Indies, as well as from the Countries of Europe, and from the communities of Anglo-American origin on the Pacific.

“(5.) That in coming to a right determination on this subject, the question of cost is not the first for consideration, but that the efficiency of the service to be performed should be secured beyond the probability of failure, and that especial regard should be had to those social and commercial consequences which would tend most to the progress and prosperity of the Colony of New South Wales.”

2. That this House confirms the foregoing propositions as affirmed by the late Assembly, and is of opinion that the important object thereby contemplated should be carried out with as little delay as possible, and in such manner as will secure to this Colony, the administrative control of the line when established.

3. That these Resolutions be communicated by Address to His Excellency the Governor General.

## 2. MR. CUMMINGS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the following sums for the erection of Bridges :—

£6,000 for the erection of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst to Wagga Wagga and Balranald.

£300 for the erection of a Bridge across Ugowra Creek.

£300 for the erection of a Bridge across the Belubula Creek on the main road from Bathurst to Nanamai and Balranald.

£300 for a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala.

## 3. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.

## 4. MR. WEEKES to move, That the two Petitions from certain Roman Catholics of East and West Maitland respectively, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.

## 5. MR. BYRNES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return of all Fees received by the Chief Clerk, and all other Officials under him in the Insolvent Office, for preparing Affidavits for proof of Debts, Insolvency Schedules, Certificates, and Notices of Application for Certificates, and the amount of fees for the same paid into the Treasury for the years 1857 and 1858.

## 6. MR. HODGSON to move, That the Petition of certain Roman Catholics of Newcastle, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.

## 7. MR. HODGSON to move, That the following portions of the Return to the Address respecting Lieutenant Seaver, R.N., laid upon the Table of this House by The Honorable the Colonial Treasurer, on the 24th January, be printed, namely,—Pages 17, 27, 33 to 36, 38, 39, 92 to 94, 173 to 178, 267, 268, 309 to 313, 332 to 337, 339 to 340, 344, 349, 352, and 357.

## 8. MR. DALLEY to move, That the Petitions from the Roman Catholic Inhabitants of Ryde, and the Town and District of Windsor, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.

## 9. MR. CAMPBELL to move, That the Petition from Balmain, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.

10. MR. GARE to move, That the Petition from certain Roman Catholics of Brisbane Water against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.
11. MR. PLUNKETT to move, That the two Petitions against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.
12. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Copy of the several Deeds of Grant issued to Trustees for the maintenance of Glebes throughout the Colony.
  - (2.) A Return shewing the names of the persons to whom the lands so granted have been leased; the quantity demised in each case; and the amount of annual rent reserved.
  - (3.) The total annual value of the lands granted for each Glebe respectively.
  - (4.) How the revenue is appropriated.
13. MR. MCARTHUR to move, That the Petition of certain Residents in the Municipality of Redfern, relative to the Mudbank and Cook's River Road Toll-bar, presented by him on the 15th February, be printed.
14. MR. PARKES to move, That the Progress Report from the Select Committee to whom was referred the Petition of Mr. John Malley, be transmitted by Address to His Excellency the Governor General, with a request that the Petitioner's claim to the reimbursement of £38 10s., as therein set forth, may be considered.
15. MR. HAY to move, That the Petition from Albury, against the abolition of State Aid to Religion, presented by him on the 15th February, be printed.
16. MR. MARTIN to move, That the Petition from 411 Roman Catholics of Sydney, and also that of the Parishioners of St. Michael's, Surry Hills, against the withdrawal of State Aid to Religion, presented by him on the 16th February, be printed.
17. MR. WILSON to move, That the Petition of certain Roman Catholics of Braidwood, against the withdrawal of State Aid to Religion, presented by him on the 16th February, be printed.
18. MR. DARVALL to move for leave to bring in a Bill to amend the Law regulating Public Ferries.
19. MR. DARVALL to move for leave to introduce a Bill to amend the Law regulating Bank Returns and Abstracts.
20. MR. DARVALL to move, that the Petition from the Churchwardens of St. Andrew's, presented by him on the 25th January, be now taken into consideration.

ORDERS OF THE DAY :—

1. Capital Punishments Abolition Bill; second reading.
2. Resumption of the adjourned Debate on Dr. Lang's motion,—
 

"(1.) That a Select Committee be appointed to take into consideration, and to report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.

"(2.) That such Committee consist of the following Members, viz.:—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover."
3. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."
4. Freight and Charges Bill; second reading.
5. Newcastle Wallsend Coal Company's Railway Bill; third reading.
6. Sydney Insurance Company's Act Amendment Bill; third reading.

Questions :—

1. MR. WILSON to ask THE COLONIAL SECRETARY,—To whom the various Cemeteries in the Colony have been alienated; and if the parties to whom they have been so alienated have absolute control over them as to the interment of persons?
2. MR. HART to ask THE COLONIAL SECRETARY,—
  - (1.) Whether the Government have taken any steps to ascertain the truth of a statement in the daily newspapers—alleged to be derived from the last Report of the Registrar General—that the deaths in Sydney and its Suburbs have progressively increased, from year to year, until, in the City of Sydney, they have reached a higher number than the average mortality of all the Town populations in England; and, in some parts of the Hamlets, a greater number than that which occurs in the unhealthiest Districts in England?
  - (2.) In case the above statement should prove to be in accordance with the fact, whether the Government are prepared to direct an investigation, by its Medical Health Officers, or otherwise, into the causes of the excessive and alarming mortality, both among the infant and adult population above adverted to—with a view of determining whether any, and what, practicable means can be devised to counteract or diminish the evil?
3. MR. WINDEYER to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to place a sum of money on the Estimates for completing the Road from Raymond Terrace to Stockton, in accordance with the Petition of the Inhabitants of the Pending Ground, Tellegora Creek, and Cabbagetroe?
4. MR. HAWKINS to ask THE SECRETARY FOR LANDS,—
  - (1.) Whether the Government contemplate extending to the Residents on the Wattle Flat a pre-emptive right, similar to that granted to the Residents at Sofala, to purchase the Land on which they have made considerable improvements?
  - (2.) Are there any objections to offering small farms of from twenty to thirty acres for sale on the Wattle Flat; the Land there being fit for cultivation, and holding out strong inducements to its settlement by an agricultural population?



5. MR. GRAY to ask THE SECRETARY FOR LANDS,—When the Returns ordered by this House on the 9th December last, in reference to lands alienated by the Crown, and moneys spent on Public Works in the District of Kiama, will be laid upon the Table?
6. MR. ROBERTS to ask THE COLONIAL SECRETARY,—
  - (1.) Why prosecutions at the late sittings of the Central Criminal Court, Sydney, were not severally conducted by the Attorney and Solicitor General; and the reason Mr. E. Butler appeared and acted in these matters for the latter gentleman?
  - (2.) Was it in consequence of any previous arrangement—if so, what is its precise nature or character; and will it in any manner occasion any additional increase to the Country in the expenditure for the Administration of Justice?
7. MR. ROTTON to ask THE MINISTER REPRESENTING THE SECRETARY FOR PUBLIC WORKS,—Has the Secretary for Works been paid any Salary; if so, for what time—at what rate—and by what authority?
8. MR. ROTTON to ask THE COLONIAL SECRETARY,—When it is likely the Government will decide whether or not the Town of Bathurst shall be proclaimed a Municipality?

TUESDAY, FEBRUARY 21.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.
2. MR. WILSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £1,000, for the erection of an Experimental Quartz Crushing Machine at the Royal Mint.
3. MR. CAIRIE to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate an additional sum of £15,000 in aid of National Education, for the year 1860.
4. MR. TERRY to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the current year, a sum of money not exceeding £7,000 for a Court House and Gaol at Mudgee.
5. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A copy of all Correspondence between the Government of Queensland and New South Wales, which has been laid before the Executive Council of New South Wales—together with any Minutes of the Executive Council, relative to the payment to the Queensland Government of all balances due on the Assessments, Rents, &c., &c., paid in advance, for one year, in September, 1859, by the Squatters of the Colony of Queensland.
  - (2.) Copies of all Correspondence between the Government of New South Wales and Queensland, relative to the Government of New South Wales continuing to receive Public Moneys, the property of the Colony of Queensland, since the date of the Separation of the latter Colony.
6. MR. MACLEAY to move, That there be laid upon the Table of this House, a classified Return shewing the number of Clergymen who will be entitled to the pensions, and the amount that will be required to meet the payments for the other compensations proposed by the Bill to abolish State Aid to Religion.

Questions:—

1. MR. CLEMENTS to ask THE COLONIAL SECRETARY,—Whether the Government intend establishing Local Offices at Bathurst and other chief Towns of populous Districts, for the registration of Title Deeds and other documents relating to real property?
2. MR. LUCAS to ask THE SECRETARY FOR LANDS,—When the Government intend to pay those persons for the lands through which the Railway passes from Liverpool to Campbelltown?

WEDNESDAY, FEBRUARY 22.

Contingent Notice of Motion:—

1. DR. LANG to move (on the proposal of the Honorable the Colonial Secretary to move the second reading of the *Elective Legislative Council Bill*),—That, in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. *Elective Legislative Council Bill*; second reading.
2. *Official Salaries Alteration Bill*; second reading.
3. Ways and Means; Resumption of the Committee.
4. Supply; Resumption of the Committee.
5. Harbor, Pilotage, and Navigation Bill; second reading.

THURSDAY,

THURSDAY, FEBRUARY 23.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

FRIDAY, FEBRUARY 24.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Return stating the locality and extent of all City, Town, Suburban, and other Lands in the Settled Districts of the Colony, possession of which has been resumed by the Government, since January 1, 1856.
  - (2.) The names of the Occupants of such Lands at the time of resumption.
  - (3.) The nature and periods of Occupation—and such sums or arrears of rents as may have been received by the Government.
2. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.

ORDER OF THE DAY :—

1. Law of Primogeniture Abolition Bill ; second reading.

TUESDAY, FEBRUARY 28.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Revenue and Audit Bill ; second reading.
2. Tanners' and Curriers' Bill ; second reading.
3. Wesley College Bill ; second reading.

WEDNESDAY, FEBRUARY 29.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. State Aid to Religion Abolition Bill ; second reading.

FRIDAY, MARCH 2.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG to move,—
  - (1.) That a Select Committee be appointed to take into consideration the subject of the federation of the Australian Colonies, with a view to ascertain what are the specific objects which it would be desirable to attain through such federation, and whether in the existing circumstances of these Colonies federation is at all practicable.
  - (2.) That such Committee consist of the following Members, viz. :—Mr. Arnold, Mr. Black, Mr. Campbell, Mr. Hay, Mr. Jones, Mr. Morris, Mr. Parkes, Mr. Robertson, Mr. Rotton, and the Mover.

ORDERS OF THE DAY :—

1. Lien on Wool Act Continuation Bill ; second reading.
2. Necropolis Act Extension Bill ; to be further considered in Committee.

THURSDAY, MARCH 15.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Public Lands Bill ; second reading.
2. Land Tax Bill ; second reading.

T. A. MURRAY,  
*Speaker.*

No. 63.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

FRIDAY, 17 FEBRUARY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Papers:—Mr. Forster laid upon the Table the following Papers:—
  - (1.) Return to Order, in reference to Cost of Electoral Rolls and of Elections for 1859–60, made by this House, on the motion of Mr. Rotton, on the 20th September last.
  - (2.) Further Return to Address, in reference to Confines waiting Trial, or under Sentence, adopted on motion of Mr. Jenkins, on the 18th October last.
  - (3.) (*In answering Question, relative to Deaths in Sydney and its Suburbs, asked by Mr. Hart, in pursuance of Notice No. 2 on the Paper for to-day*):—
    - (1.) Registrar General's Table No. 1, Mortality in the City of Sydney and Hamlets, from 1st March, 1856, to 31st December, 1859.
    - (2.) Registrar General's Table No. 2, Infantile Mortality, ditto.

Ordered to be printed.

  - (4.) Further Return to Order, in reference to Moreton Bay Statistics, made by this House, on the motion of Mr. Mort, on the 9th September last.
  - (5.) Part Return to Order, in reference to Moreton Bay Statistics, made by this House, on the motion of Mr. Douglas, on the 9th September last.
2. Bridge over the Lachlan River:—
  - (1.) Mr. Cummings presented a Petition from the Inhabitants of Carcoar, and the surrounding Districts, recommending that Nanamai may be the site of any Bridge which may be constructed over the Lachlan River.
  - (2.) Mr. Cummings presented a similar Petition from the Inhabitants of the District of Lachlan and Wellington.
  - (3.) Mr. Watt presented a Petition from certain Inhabitants of the Carcoar and Lachlan Districts, and others interested in the movement of stock and conveyance of property over the Lachlan River, praying that Cowra may be the site of any such Bridge.

Petitions received.
3. State Aid to Religion:—Mr. Hurley presented a Petition from the Catholics of Campbelltown Camden and Menangle against the withdrawal of State Aid to Religion.  
Petition received.
4. Postponement:—Mr. Parkes postponed the motion standing in his name No. 1 on the Notice Paper for to-day, until Tuesday next.
5. Various Bridges:—Mr. Cummings moved, pursuant to notice, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the following sums for the erection of Bridges:—
  - £6,000 for the erection of a Bridge across the Lachlan River at Nanamai, on the main road from Bathurst to Wagga Wagga and Balranald.
  - £300 for the erection of a Bridge across Ugowra Creek.
  - £300 for the erection of a Bridge across the Belubula Creek on the main road from Bathurst to Nanamai and Balranald.
  - £300 for a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala.

Debate ensued.

Motion by leave withdrawn.
6. Papers:—Mr. Forster laid upon the Table the Return to the Address in reference to Charles Skerrett, adopted, on motion of Mr. Wisdom, on the 8th instant.
7. Postponement:—Mr. Wisdom postponed the motion standing in the name of Mr. Byrnes, No. 3 on the Notice Paper for to-day, until Friday week.

8. **State Aid to Religion** :—Mr. Weekes moved, pursuant to notice, That the two Petitions from certain Roman Catholics of East and West Maitland respectively, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.  
Question put and passed.  
Ordered to be printed.
9. **Postponement** :—Mr. Wisdom postponed the motion standing in the name of Mr. Byrnes, No. 5 on the Notice Paper for to-day, until Friday next.
10. **State Aid to Religion** :—Mr. Hodgson moved, pursuant to notice, That the Petition of certain Roman Catholics of Newcastle, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.  
Question put and passed.  
Ordered to be printed.
11. **Lieutenant Scaver, R.N.** :—Mr. Hodgson moved, pursuant to notice, That the following portions of the Return to the Address respecting Lieutenant Scaver, R.N., laid upon the Table of this House by The Honorable the Colonial Treasurer, on the 24th January, be printed, namely,—Pages 17, 27, 33 to 36, 38, 39, 92 to 94, 173 to 178, 267, 268, 309 to 313, 332 to 337, 339 to 340, 344, 349, 352, and 357.  
Question put and passed.  
Ordered to be printed.
12. **State Aid to Religion** :—  
(1.) Mr. Wild moved, pursuant to notice standing in the name of Mr. Dalley, That the Petitions from the Roman Catholic Inhabitants of Ryde, and the Town and District of Windsor, against the abolition of State Aid to Religion, presented by Mr. Dalley on the 14th February, be printed.  
Question put and passed.  
Ordered to be printed.  
(2.) Mr. Campbell moved, pursuant to notice, That the Petition from Balmain, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.  
Question put and passed.  
Ordered to be printed.  
(3.) Mr. Cape moved, pursuant to notice, That the Petition from certain Roman Catholics of Brisbane Water, against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.  
Question put and passed.  
Ordered to be printed.  
(4.) Mr. Plunkett moved, pursuant to notice, That the two Petitions against the abolition of State Aid to Religion, presented by him on the 14th February, be printed.  
Question put and passed.  
Ordered to be printed.
13. **Postponement** :—Mr. Morris postponed the motion standing in the name of Mr. Hart, No. 12 on the Notice Paper for to-day, until Tuesday next.
14. **Mudbank and Cook's River Road Toll Bar** :—Mr. McArthur moved, pursuant to notice, That the Petition of certain Residents in the Municipality of Redfern, relative to the Mudbank and Cook's River Road Toll-bar, presented by him on the 15th February, be printed.  
Question put and passed.  
Ordered to be printed.
15. **Postponement** :—Mr. Parkes postponed the motion standing in his name, No. 14 on the Notice Paper for to-day, until Tuesday next.
16. **State Aid to Religion** :—Mr. Morris moved, pursuant to notice standing in the name of Mr. Hay, That the Petition from Albury, against the abolition of State Aid to Religion, presented by Mr. Hay on the 15th February, be printed.  
Question put and passed.  
Ordered to be printed.
17. **Postponement** :—Mr. Morris postponed the motion standing in the name of Mr. Martin, No. 16 on the Notice Paper for to-day, until Tuesday next.
18. **State Aid to Religion** :—Mr. Wilson moved, pursuant to notice, That the Petition of certain Roman Catholics of Braidwood, against the withdrawal of State Aid to Religion, presented by him on the 16th February, be printed.  
Question put and passed.  
Ordered to be printed.
19. **Public Ferries Law Amendment Bill** :—Mr. Darvall moved, pursuant to notice, for leave to bring in a Bill to amend the Law regulating Public Ferries.  
Question put and passed; *Ordered*, that the Mover and Seconder prepare and bring in the Bill.
20. **Bank Statements and Abstracts Regulation Bill** :—Mr. Darvall moved, pursuant to notice, for leave to introduce a Bill to amend the Law regulating Bank Returns and Abstracts.  
Question put and passed; *Ordered*, that the Mover and Seconder prepare and bring in the Bill.
21. **Public Ferries Law Amendment Bill** :—Mr. Darvall having presented this Bill, Bill, intituled "*A Bill to amend the Law regulating Public Ferries*,"—read a first time; ordered to be printed, and read a second time on Tuesday next.

22. **Bank Statements and Abstracts Regulation-Bill** :—Mr. Darvall having presented this Bill, intitled "*A Bill to regulate the making of Bank Weekly Statements, and the publication of Bank Abstracts,*" read a first time; ordered to be printed, and read a second time on Tuesday next.
23. **The Dean of St. Andrew's, Sydney** :—Mr. Darvall moved, pursuant to notice, That the Petition from the Churchwardens of St. Andrew's, presented by him on the 25th January, be "now taken into consideration."
- Mr. Hawkins moved, That the Question be amended, by the omission of the words "now taken into consideration," with a view to the insertion in their place of the words "referred to a Select Committee of nine Members, to be appointed by Ballot."
- Debate ensued.*
- Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
- Question put,—That the words proposed to be inserted in the place of the words omitted, be so inserted.
- The House divided.

## Ayes, 19.

Mr. Forster,	Mr. Weekes,	
Mr. Black,	Mr. Piddington,	
Mr. Wilson,	Mr. Oxley,	
Mr. McArthur,	Mr. Terry,	
Mr. Clements,	Mr. Darvall,	
Mr. Hart,	Mr. Cape,	
Mr. Robertson,	Rev. Dr. Lang,	
Mr. Russell,	Mr. Hamilton,	
Mr. Hieronimus,	Mr. Hawkins,	} Tellers.
Mr. Parkes,		

## Noes, 10.

Mr. Pemell,	
Mr. Gray,	
Mr. Wisdom,	
Mr. Lucas,	
Mr. Close,	
Mr. Hoskins,	
Mr. Campbell,	
Mr. Plunkett,	
Mr. Morris,	} Tellers.
Mr. Cooper,	

Question, then—That the Petition from the Churchwardens of St. Andrew's, presented by Mr. Darvall on the 25th January, be referred to a Select Committee of nine Members, to be appointed by Ballot,—put and passed.

Whereupon, the House proceeded to the Ballot, and the Speaker declared the following Members to be the Committee duly appointed, viz. :—Mr. Hawkins, Mr. Darvall, Mr. Black, Mr. Faucett, Rev. Dr. Lang, Mr. Jones, Mr. Plunkett, Mr. Cape, and Mr. Samuel.

24. **Postponement** :—The second reading of the Capital Punishments Abolition Bill postponed, on motion of Mr. Parkes, until this day week.
25. **Moreton Bay Immigration and Land Company's Act Amendment Bill** :—On the Order of the Day being read for the Resumption of the adjourned Debate,—
- "(1.) That a Select Committee be appointed to take into consideration, and to report upon, the Bill for the Amendment of the Moreton Bay Immigration and Land Company's Act.
- "(2.) That such Committee consist of the following Members, viz. :—Mr. Robertson, Mr. Richardson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, and the Mover,"—
- Dr. Lang moved, That this Order of the Day be discharged from the Paper.
- Question put and passed.
- Dr. Lang then moved, That the Bill be discharged from the Paper.
- Question put and passed.
26. **Postponements** :—
- (1.) **Primary Education Encouragement Bill** :—The Resumption of the adjourned Debate on Mr. Oxley's motion, "That this Bill be now read a second time," postponed, on motion of Mr. Parkes, until Tuesday, the 6th March next.
- (2.) The second reading of the Freight and Charges Bill, postponed, on motion of Mr. Parkes, until Tuesday next.
27. **Newcastle Wallsend Coal Company's Railway Bill** :—On motion of Mr. Loder, read a third time, and passed.
- Mr. Loder then moved, That the Title of this Bill be, "*An Act to enable certain persons carrying on business at Sydney under the name or style of 'The Newcastle Wallsend Coal Company' to construct a Railway from land near Newcastle belonging to them to and to connect the same with the Great Northern Railway.*"
- Question put and passed.
- Whereupon Mr. Loder moved, That this Bill be carried to the Legislative Council, with the following Message :—
- MR. PRESIDENT,
- The Legislative Assembly having this day passed a Bill, intitled "*An Act to enable certain persons carrying on business at Sydney under the name or style of 'The Newcastle Wallsend Coal Company' to construct a Railway from land near Newcastle belonging to them to and to connect the same with the Great Northern Railway,*" presents the same to the Legislative Council for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon.
- Legislative Assembly Chamber,  
Sydney, 17th February, 1860.
- Speaker.
- Question put and passed.
28. **Sydney Insurance Company's Act Amendment Bill** :—On motion of Mr. Weekes, read a third time, and passed.
- Mr. Weekes then moved, That the Title of this Bill be "*An Act to amend an Act intitled, 'An Act to Incorporate a Company to be called 'The Sydney Insurance Company.'*"
- Question put and passed.
- Whereupon

Whereupon Mr. Weekes moved, That this Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to amend an Act intituled 'An Act to Incorporate a Company to be called 'The Sydney Insurance Company,'*" presents the same to the Legislative Council for its concurrence, accompanied by a Copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon.

Legislative Assembly Chamber,  
Sydney, 17th February, 1860.

Speaker.

Question put and passed.

The House adjourned at twenty-five minutes before Nine o'clock, until Tuesday next, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, FEBRUARY 21.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.
2. MR. WILSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £1,000, for the erection of an Experimental Quartz Crushing Machine at the Royal Mint.
3. MR. CAPE to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate an additional sum of £15,000 in aid of National Education, for the year 1860.
4. MR. TERRY to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the current year, a sum of money not exceeding £7,000 for a Court House and Gaol at Mudgee.
5. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A copy of all Correspondence between the Government of Queensland and New South Wales, which has been laid before the Executive Council of New South Wales—together with any Minutes of the Executive Council, relative to the payment to the Queensland Government of all balances due on the Assessments, Rents, &c., &c., paid in advance, for one year, in September, 1859, by the Squatters of the Colony of Queensland.
  - (2.) Copies of all Correspondence between the Government of New South Wales and Queensland, relative to the Government of New South Wales continuing to receive Public Moneys, the property of the Colony of Queensland, since the date of the Separation of the latter Colony.
6. MR. MACLEAY to move, That there be laid upon the Table of this House, a classified Return shewing the number of Clergymen who will be entitled to the pensions, and the amount that will be required to meet the payments for the other compensations proposed by the Bill to abolish State Aid to Religion.
7. MR. PARKES to move,—
  1. That this House has had under its consideration certain Resolutions passed by the late Legislative Assembly, on the 6th of August, 1858, to the following effect:—
    - "(1.) That the experience hitherto gained of Steam Communication between Australia and England, *via* India, has led to general disappointment and dissatisfaction in this Colony.
    - "(2.) That any new arrangement for the performance of the Mail Service by the India route, though it ensured postal regularity and speed, would confer no other considerable benefits on New South Wales, while it must necessarily place this community, as the last point of intercourse in the Australian system, at a permanent disadvantage in relation to the Southern Colonies.
    - "(3.) That the interests of New South Wales would be best promoted by opening communication with America and Europe, *via* the Isthmus of Panama.
    - "(4.) That there are reasonable grounds for believing that a line of Steamers, of the requisite power and capacity, running between Sydney and Panama, in addition to the advantages of regular postal communication, would induce spontaneous and valuable

- "valuable passenger traffic to these shores, from the large numbers of persons constantly arriving on the Isthmus from the United States, British North America, and the West Indies, as well as from the Countries of Europe, and from the communities of Anglo-American origin on the Pacific.
- "(5.) That in coming to a right determination on this subject, the question of cost is not the first for consideration, but that the efficiency of the service to be performed should be secured beyond the probability of failure, and that especial regard should be had to those social and commercial consequences which would tend most to the progress and prosperity of the Colony of New South Wales."
2. That this House confirms the foregoing propositions as affirmed by the late Assembly, and is of opinion that the important object thereby contemplated should be carried out with as little delay as possible, and in such manner as will secure to this Colony the administrative control of the line when established.
  3. That these Resolutions be communicated by Address to His Excellency the Governor General.
  8. MR. WILSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the names of all persons put upon their Trial for Capital Offences in New South Wales, since 1840; and the number acquitted.
  9. MR. HURLEY to move, That the Petition from Campbelltown, Camden, and Menangle, against the withdrawal of State Aid to Religion, presented by him on the 17th February, be printed.
  10. MR. PLUNKETT to move for leave to bring in a Bill to enable the Municipal Council of Sydney to sell certain Debentures.
  11. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
    - (1.) A Copy of the several Deeds of Grant issued to Trustees for the maintenance of Glebes throughout the Colony.
    - (2.) A Return shewing the names of the persons to whom the lands so granted have been leased; the quantity demised in each case; and the amount of annual rent reserved.
    - (3.) The total annual value of the lands granted for each Glebe respectively.
    - (4.) How the revenue is appropriated.
  12. MR. PARKES to move, That the Progress Report from the Select Committee to whom was referred the Petition of Mr. John Malley, be transmitted by Address to His Excellency the Governor General, with a request that the Petitioner's claim to the reimbursement of £38 10s., as therein set forth, may be considered.
  13. MR. MARTIN to move, That the Petition from 411 Roman Catholics of Sydney, and also that of the Parishioners of St. Michael's, Surry Hills, against the withdrawal of State Aid to Religion, presented by him on the 16th February, be printed.
  14. MR. WATT to move, That the Petition presented by him on the 17th February, relative to a Bridge over the Jachlan at Cowra, be printed.
  15. MR. PARKES to move, That Mr. Wisdom be added to the Committee on Grievances, in place of Mr. Flood.

ORDERS OF THE DAY :—

1. Public Ferries Law Amendment Bill; second reading.
2. Bank Statements and Abstracts Regulation Bill; second reading.
3. Freight and Charges Bill; second reading.

Questions :—

1. MR. CLEMENTS to ask THE COLONIAL SECRETARY,—Whether the Government intend establishing Local Offices at Bathurst and other chief Towns of populous Districts, for the registration of Title Deeds and other documents relating to real property?
2. MR. LUCAS to ask THE SECRETARY FOR LANDS,—When the Government intend to pay those persons for the lands through which the Railway passes from Liverpool to Campbelltown?
3. MR. WISDOM to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to amalgamate the Post Office and Telegraph Departments in the Country Towns?
4. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—
  - (1.) Whether the Government are aware that the Governor of Queensland has directed the Collectors of Customs to abstain from collecting the Duty on Gold until thirty days have elapsed after the first meeting of the Legislature of that Colony?
  - (2.) Whether the Government are aware that the effect of this Proclamation will be to divert the Gold obtained at the Tooloom Gold Fields to that Colony?
  - (3.) Whether it is the intention of the Government to take steps to prevent such an occurrence?

WEDNESDAY, FEBRUARY 22.

Contingent Notice of Motion :—

1. DR. LANG to move (on the proposal of the Honorable the Colonial Secretary to move the second reading of the *Elective Legislative Council Bill*),—That, in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony.

GOVERNMENT

## GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Elective Legislative Council Bill; second reading.
2. Official Salaries Alteration Bill; second reading.
3. Ways and Means; Resumption of the Committee.
4. Supply; Resumption of the Committee.
5. Harbor, Pilotage, and Navigation Bill; second reading.

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THURSDAY, FEBRUARY 23.

## OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

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FRIDAY, FEBRUARY 24.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Return stating the locality and extent of all City, Town, Suburban, and other Lands in the Settled Districts of the Colony, possession of which has been resumed by the Government, since January 1, 1856.
  - (2.) The names of the Occupants of such Lands at the time of resumption.
  - (3.) The nature and periods of Occupation—and such sums or arrears of rents as may have been received by the Government.
2. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
3. MR. CUMMINGS to move, That the two Petitions relative to a Bridge over the Lachlan River, presented by him on the 17th February, be printed.  
 MR. COOPER to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £10,000, to aid in relieving the sufferers by the late floods in the Districts of Braidwood, Shoalhaven, Illawarra and Penrith and Bega.
5. MR. BYRNES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return of all Fees received by the Chief Clerk, and all other Officials under him in the Insolvent Office, for preparing Affidavits for proof of Debts, Insolvency Schedules, Certificates, and Notices of Application for Certificates, and the amount of fees for the same paid into the Treasury for the years 1857 and 1858.

## ORDERS OF THE DAY:—

1. Law of Primogeniture Abolition Bill; second reading.
2. Capital Punishments Abolition Bill; second reading.

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TUESDAY, FEBRUARY 26.

## OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return or Classification of Roads in New South Wales, with the proposed expenditure for the year 1860, similar to the Return ordered by this Assembly to be printed, 21 December, 1858.

## ORDERS OF THE DAY:—

1. Revenue and Audit Bill; second reading.
2. Tanners' and Curriers' Bill; second reading.
3. Wesley College Bill; second reading.

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WEDNESDAY,



WEDNESDAY, FEBRUARY 20.

*Contingent Notice of Motion :—*

1. MR. HODGSON to move (*upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read*),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. State Aid to Religion Abolition Bill ; second reading.

FRIDAY, MARCH 2.

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move,—  
 (1.) That a Select Committee be appointed to take into consideration the subject of the federation of the Australian Colonies, with a view to ascertain what are the specific objects which it would be desirable to attain through such federation, and whether in the existing circumstances of these Colonies federation is at all practicable.  
 (2.) That such Committee consist of the following Members, viz.:—Mr. Arnold, Mr. Black, Mr. Campbell, Mr. Hay, Mr. Jones, Mr. Morris, Mr. Parkes, Mr. Robertson, Mr. Rotton, and the Mover.
2. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.

ORDERS OF THE DAY :—

1. Lien on Wool Act Continuation Bill ; second reading.
2. Necropolis Act Extension Bill ; to be further considered in ~~the~~ Committee.

TUESDAY, MARCH 6.

OTHER BUSINESS—ORDER OF THE DAY :—

3. Primary Education Encouragement Bill ; Resumption of the adjourned debate on Mr. Oxley's motion, " That this Bill be now read a second time."

THURSDAY, MARCH 15.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Public Lands Bill ; second reading.
2. Land Tax Bill ; second reading.

T. A. MURRAY,  
*Speaker.*



No. 64.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

TUESDAY, 21 FEBRUARY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Papers:—Mr. Forster laid upon the Table the undermentioned Papers:—
  - (1.) Return to Address, in reference to Miscellaneous Documents, adopted on the motion of Mr. Cape, on the 25th ultimo.
  - (2.) Return to Address, in reference to St. John's College, adopted on the motion of Mr. Hart, on the 10th instant.
  - (3.) Return to Address, in reference to the Case of the Queen v. Clarke, adopted, on the motion of Mr. Watt, on the 2nd instant.
  - (4.) Return to Order, in reference to Funds for National and Denominational Education, made by this House, on the motion of Mr. Cape, on the 10th instant.
  - (5.) Return to Address, in reference to Parliamentary Officers, adopted, on the motion of Mr. Dalley, on the 27th ultimo.
 Ordered to be printed.
2. Steam Postal Service:—Mr. Parkes presented a Petition from a large number of Citizens of Sydney, urging the establishment, without delay, of Steam Postal Communication with Great Britain *via* Panama.  
Petition received.
3. State Aid to Religion:—Mr. Atkinson presented a Petition from the Catholics of the District of Liverpool, against the withdrawal of State Aid to Religion.  
Petition received.
4. The following Messages from His Excellency the Governor General received and read:—
  - (1.) Reward Fund for Discovery of New Gold Fields:—  
W. DENISON, Message No. 23.  
*Governor General.*  
In accordance with the request contained in the Address from the Legislative Assembly, dated 16th February, 1860, the Governor General has directed that a sum of £3,000 be placed on the Estimates for the year 1860, as a Reward Fund for the Discovery of New Gold Fields.  
*Government House,*  
*21st February, 1860.*
  - (2.) Relief of Sufferers by recent Floods in Southern Districts:—  
W. DENISON, Message No. 24.  
*Governor General.*  
In accordance with the provisions contained in the 54th clause of the Constitution Act, The Governor General recommends to the Legislative Assembly the appropriation of the sum of £3,000, to meet the expenses that may be incurred for the Relief of the Sufferers by the recent Floods in the Southern Districts.  
*Government House,*  
*21st February, 1860.*
 Message No. 24 ordered to be printed, and taken into consideration in Committee of Supply.
5. Postponement:—Mr. Cooper postponed the motion standing in his name, No. 1 on the Notice Paper for to-day, until this day three weeks.
6. Experimental Quartz Crushing Machine:—Mr. Wilson moved, pursuant to notice, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £1,000, for the erection of an Experimental Quartz Crushing Machine at the Royal Mint.  
Debate ensued.  
Question put.

The

The House divided.

Ayes, 35.

Mr. Piddington,	Mr. Terry,	
Rev. Dr. Lang,	Mr. Russell,	
Mr. Plunkett,	Mr. Parkes,	
Mr. Cape,	Mr. Hart,	
Mr. Loder,	Mr. Watt,	
Mr. Nott,	Mr. Wilson,	
Mr. Hodgson,	Mr. Windeyer,	
Mr. Lucas,	Mr. Samuel,	
Mr. Dalley,	Mr. Forster,	
Mr. Macleay,	Mr. Gordon,	
Mr. Campbell,	Mr. Garrett,	
Mr. Faucett,	Mr. Wild,	
Mr. Gray,	Mr. Black,	
Mr. Hoskins,	Mr. Robertson,	
Mr. Scott,	Mr. Cummings,	
Mr. Asher,	Mr. Mort,	
Mr. Atkinson,	Mr. Hawkins,	} Tellers.
Mr. Hyeronimus,		

Noes, 3.

Mr. Oakes,	
Mr. Byrnes,	} Tellers.
Mr. Jones,	

7. National and Denominational Education :—Mr. Cape moved, pursuant to notice, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate an additional sum of £15,000 in aid of "National" Education, for the year 1860.

Debate ensued.

Mr. Jenkins moved, That the Question be amended, by the omission of all the words following the word "National," with a view to the insertion in their place of the words "and an additional sum of £15,000, in aid of Denominational Schools for the "year 1860."

Debate continued.

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

The House divided.

Ayes, 18.

Mr. Forster,	Mr. Atkinson,	
Mr. Black,	Mr. Jones,	
Mr. Samuel,	Mr. Hart,	
Mr. Hawkins,	Mr. Piddington,	
Mr. Garrett,	Mr. Cape,	
Mr. Gray,	Rev. Dr. Lang,	
Mr. Hoskins,	Mr. Broughton,	
Mr. Lyons,	Mr. Robertson,	} Tellers.
Mr. Pemell,	Mr. Watt,	

Noes, 17.

Mr. Plunkett,	Mr. Laycock,	
Mr. Oakes,	Mr. Loder,	
Mr. Terry,	Mr. Cummings,	
Mr. Jenkins,	Mr. Russell,	
Mr. Parkes,	Mr. Wilson,	
Mr. Scott,	Mr. Campbell,	
Mr. Egan,	Mr. Byrnes,	} Tellers.
Mr. Lucas,	Mr. McArthur,	
Mr. Weekes,		

Original Question stated.

Motion made by the Rev. Dr. Lang, and Question put and negatived,—That this House do now adjourn.

Original Question stated.

Motion made by Mr. Oakes, and Question put,—That the Question be amended, by the addition of the words "and a similar sum for Denominational Education for 1860."

The House divided.

Ayes, 22.

Mr. Lyons,	Mr. Laycock,	
Mr. Wild,	Mr. Weekes,	
Mr. Cummings,	Mr. Plunkett,	
Mr. McArthur,	Mr. Campbell,	
Mr. Hoskins,	Mr. Lucas,	
Mr. Parkes,	Mr. Oakes,	
Mr. Loder,	Mr. Scott,	
Mr. Gordon,	Mr. Terry,	
Mr. Russell,	Mr. Cape,	
Mr. Egan,	Mr. Byrnes,	} Tellers.
Mr. Pemell,	Mr. Jenkins,	

Noes, 15.

Mr. Atkinson,	Mr. Wilson,	
Mr. Hawkins,	Mr. Broughton,	
Mr. Hart,	Mr. Garrett,	} Tellers.
Mr. Watt,	Mr. Gray,	
Mr. Piddington,		
Mr. Black,		
Mr. Robertson,		
Mr. Forster,		
Mr. Samuel,		
Rev. Dr. Lang,		
Mr. Jones,		

Whereupon Question put,—That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate an additional sum of £15,000 in aid of National Education, for the year 1860, and a similar sum for Denominational Education for 1860.

The House divided.

Ayes, 23.

Mr. Lyons,	Mr. Broughton,	
Mr. Wild,	Mr. Plunkett,	
Mr. Cummings,	Mr. Campbell,	
Mr. McArthur,	Mr. Lucas,	
Mr. Hoskins,	Mr. Oakes,	
Mr. Parkes,	Mr. Scott,	
Mr. Gordon,	Mr. Terry,	
Mr. Russell,	Mr. Cape,	
Mr. Weekes,	Mr. Loder,	
Mr. Laycock,	Mr. Byrnes,	} Tellers.
Mr. Pemell,	Mr. Jenkins,	
Mr. Egan,		

Noes, 14.

Mr. Forster,	Mr. Hawkins,	
Mr. Samuel,	Mr. Atkinson,	
Mr. Robertson,	Mr. Wilson,	
Mr. Black,	Mr. Jones,	
Mr. Piddington,	Rev. Dr. Lang,	
Mr. Watt,	Mr. Gray,	} Tellers.
Mr. Hart,	Mr. Garrett,	

8. Paper :—Mr. Forster laid upon the Table, Further Despatch from the Duke of Newcastle, dated 1 December, 1859, relating to Steam Postal Communication.  
Ordered to be printed.
9. Postponement :—Mr. Terry postponed the motion standing in his name, No. 4 on the Notice Paper for to day, until Friday next.
10. Motion dropped :—Mr. Hodgson not making the motion standing in his name, No. 5 on the Notice Paper for to-day, it dropped.
11. State Aid to Religion :—Mr. Macleay moved, pursuant to amended notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a classified Return shewing the number of Clergymen who will be entitled to the pensions, and the amount that will be required to meet the payments for the other compensations proposed by the Bill to abolish State Aid to Religion.  
Question put and passed.
12. Steam Postal Service :—Mr. Parkes moved, pursuant to amended notice :—
1. That this House has had under its consideration certain Resolutions passed by the late Legislative Assembly, on the 6th of August, 1858, to the following effect :—
 

" (1.) That the experience hitherto gained of Steam Communication between Australia and England, *via* India, has led to general disappointment and dissatisfaction in this Colony.

" (2.) That any new arrangement for the performance of the Mail Service by the India route, though it ensured postal regularity and speed, would confer no other considerable benefits on New South Wales, while it must necessarily place this community, as the last point of intercourse in the Australian system, at a permanent disadvantage in relation to the Southern Colonies.

" (3.) That the interests of New South Wales would be best promoted by opening communication with America and Europe, *via* the Isthmus of Panama.

" (4.) That there are reasonable grounds for believing that a line of Steamers, of the requisite power and capacity, running between Sydney and Panama, in addition to the advantages of regular postal communication, would induce a spontaneous and valuable passenger traffic to these shores, from the large numbers of persons constantly arriving on the Isthmus from the United States, British North America, and the West Indies, as well as from the Countries of Europe, and from the communities of Anglo-American origin on the Pacific.

" (5.) That in coming to a right determination on this subject, the question of cost is not the first for consideration, but that the efficiency of the service to be performed should be secured beyond the probability of failure, and that especial regard should be had to those social and commercial consequences which would tend most to the progress and prosperity of the Colony of New South Wales."
  2. That this House confirms the foregoing propositions as affirmed by the late Assembly, and is of opinion that the important object thereby contemplated should be carried out with as little delay as possible, and in such manner as will secure to this Colony the administrative control of the line when established.
  3. That this House is therefore prepared to concur in passing an Act to enable the Government to enter into a contract for this service, without reference to the Imperial Government, provided that the passage through to England after a certain date shall be guaranteed by the contracting Company not to exceed forty-five days, and provided that the yearly subsidy to be paid by this Colony shall not exceed £75,000, subject to reductions to the extent of the contributions from other Colonies.
  4. That these Resolutions be communicated by Address to His Excellency the Governor General.
- Mr. Samuel moved, That the Question be amended, by the omission of all the words following the word *That*, at the commencement, with a view to the insertion in their place of the following words :—
- " a Select Committee be appointed to consider and report upon the Question of Steam Postal Communication between Australia and England, and that all Correspondence having reference thereto be referred to such Committee.
- " (2.) That such Committee consist of Mr. Hay, Mr. Jones, Mr. Clements, Mr. Broughton, Mr. Dickon, Mr. Samuel, Mr. Parkes, Mr. Weekes, and Mr. McArthur."
- Debate ensued.

And the House continuing to sit till after Midnight,—

WEDNESDAY, 22 FEBRUARY, 1860. A.M.

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

Ayes, 23.

Mr. Irving,	Mr. Dalley,	
Mr. McArthur,	Mr. Wilson,	
Mr. Hoskins,	Mr. Arnold,	
Mr. Windeyer,	Mr. Garrett,	
Mr. Piddington,	Mr. Macleay,	
Mr. Wild,	Mr. Parkes,	
Mr. Gordon,	Mr. Terry,	
Mr. Faucett,	Mr. Pemell,	
Mr. Scott,	Rev. Dr. Lang,	
Mr. Atkinson,	Mr. Robertson,	
Mr. Hyeronimus,	Mr. Byrnes,	
Mr. Lucas,		

} Tellers.

Noes, 12.

Mr. Forster,	
Mr. Black,	
Mr. Samuel,	
Mr. Gray,	
Mr. Hawkins,	
Mr. Clements,	
Mr. Cummings,	
Mr. Loder,	
Mr. Hodgson,	
Mr. Hay,	
Mr. Jenkins,	
Mr. Roberts,	

} Tellers.

Whereupon

Whereupon Original Question put.  
The House divided.

Ayes, 22.

Mr. Byrnes,	Mr. Wilson,	
Mr. McArthur,	Mr. Oakes,	
Mr. Hoskins,	Mr. Garrett,	
Mr. Windeyer,	Mr. Hyeronimus,	
Mr. Piddington,	Mr. Macleay,	
Mr. Wild,	Mr. Parkes,	
Mr. Gordon,	Mr. Terry,	
Mr. Faucett,	Mr. Pemell,	
Mr. Scott,	Dr. Lang,	
Mr. Atkinson,	Mr. Robertson,	} Tellers.
Mr. Arnold,	Mr. Irving,	

Noes, 14.

Mr. Forster,	Mr. Roberts,	
Mr. Black,	Hawkins,	} Tellers.
Mr. Samuel,	Mr. Jenkins,	
Mr. Gray,		
Mr. Clements,		
Mr. Cummings,		
Mr. Loder,		
Mr. Lucas,		
Mr. Hodgson,		
Mr. Hamilton,		
Mr. Hay,		

18. Capital Offences :—Mr. Wilson moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the names of all persons put upon their Trial for Capital Offences in New South Wales, since 1840; and the number acquitted.

Question put and passed.

14. Privilege—Charles Skerrett :—Mr. Arnold—representing to the House that, by direction of the Select Committee on "Charles Skerrett," (now sitting) of which he is the Chairman, he had addressed a letter to the Sheriff, requesting that one Isabella Mary Kelly (in the custody of that officer) might be produced, on a certain day, to give evidence before the said Committee; but that the said Isabella Mary Kelly had not been so produced,—

Moved,—That, in the opinion of this House, Isabella Mary Kelly, a prisoner in Darlinghurst Gaol, having been summoned to give evidence before a Select Committee appointed to inquire into the cases of Charles Skerrett, with power to send for persons and papers, ought to be produced by the proper authorities before such Committee.

Debate ensued.

The House divided.

Ayes, 18.

Mr. Black,	Mr. Windeyer,	
Mr. Samuel,	Mr. Robertson,	
Mr. Arnold,	Mr. Oakes,	
Mr. Terry,	Mr. Gray,	
Mr. Parkes,	Mr. Byrnes,	
Mr. Dalley,	Mr. Cummings,	
Mr. Lucas,	Mr. Loder,	
Mr. Hoskins,	Mr. Wild,	} Tellers.
Mr. Hyeronimus,	Mr. Roberts,	

Noes, 2.

Mr. Forster,	} Tellers.
Mr. Piddington,	

15. Adjournment :—Mr. Robertson moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly, at twenty minutes after One o'clock, A.M., until Three o'clock, P.M., this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, FEBRUARY 22.

Contingent Notice of Motion :—

1. DR. LANG to move (on the proposal of the Honorable the Colonial Secretary to move the second reading of the Elective Legislative Council Bill),—That, in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Elective Legislative Council Bill; second reading.
2. Official Salaries Alteration Bill; second reading.
3. Ways and Means; Resumption of the Committee.
4. Supply; Resumption of the Committee.
5. Harbor, Pilotage, and Navigation Bill; second reading.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. ATKINSON to move, That the Petition of certain Catholics of Liverpool, against the withdrawal of State Aid to Religion, presented by him on the 21st February, be printed.
2. MR. PARKES to move, That the Petition of certain Merchants and other Residents of Sydney, in favor of the immediate establishment of a Steam Postal Service *via* Panama, presented by him on the 21st February, be printed.
3. MR. HURLEY to move, That the Petition from Campbelltown, Camden, and Menangle, against the withdrawal of State Aid to Religion, presented by him on the 17th February, be printed.
4. MR. PLUNKETT to move for leave to bring in a Bill to enable the Municipal Council of Sydney to sell certain Debentures.

5. **MR. HART** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
    - (1.) A Copy of the several Deeds of Grant issued to Trustees for the maintenance of Glebes throughout the Colony.
    - (2.) A Return shewing the names of the persons to whom the lands so granted have been leased; the quantity demised in each case; and the amount of annual rent reserved.
    - (3.) The total annual value of the lands granted for each Glebe respectively.
    - (4.) How the revenue is appropriated.
  6. **MR. PARKES** to move, That the Progress Report from the Select Committee to whom was referred the Petition of Mr. John Malley, be transmitted by Address to His Excellency the Governor General, with a request that the Petitioner's claim to the reimbursement of £38 10s., as therein set forth, may be considered.
  7. **MR. MARTIN** to move, That the Petition from 411 Roman Catholics of Sydney, and also that of the Parishioners of St. Michael's, Surry Hills, against the withdrawal of State Aid to Religion, presented by him on the 16th February, be printed.
  8. **MR. WATT** to move, That the Petition presented by him on the 17th February, relative to a Bridge over the Lachlan at Cowra, be printed.
  9. **MR. PARKES** to move, That Mr. Wisdom be added to the Committee on Grievances, in place of Mr. Flood.
- ORDERS OF THE DAY :—**
1. Public Ferries Law Amendment Bill; second reading.
  2. Bank Statements and Abstracts Regulation Bill; second reading.
  3. Freight and Charges Bill; second reading.

**THURSDAY, FEBRUARY 23.**

**OTHER BUSINESS—NOTICE OF MOTION :—**

1. **MR. ROBERTSON** to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.

**Questions :—**

1. **MR. HOSKINS** to ask THE SECRETARY FOR LANDS,—
  - (1.) Whether it is the intention of the Government to put up for sale, allotments of land in the Township of Tabulam, Clarence River; and when?
  - (2.) Whether it is the intention of the Government to put up for sale, land suitable for farms, in the vicinity of the Township of Tabulam; and when?
2. **MR. HOSKINS** to ask THE SECRETARY FOR LANDS,—
  - (1.) Whether the Government are aware that the Commissioner of Crown Lands, residing at Grafton, has been engaged in extensive purchases of the Public Lands?
  - (2.) Whether that Official has represented to the Government that there was no demand for land in that locality; and if so, at what period such representations were made?
  - (3.) Whether the Government have any objection to lay upon the Table of this House, a Copy of any Correspondence between the Government and such Officer?
  - (4.) Whether it is the intention of the Government to put up for sale, land suitable for farms in that locality; and when?
3. **MR. HOSKINS** to ask THE SECRETARY FOR LANDS,—
  - (1.) Whether the Government has received a Petition, signed by Charles Cheval and others, praying that a Township should be laid out at Fairfield?
  - (2.) Whether the Government have any objection to lay upon the Table of this House, a Copy of the Petition, with Signatures attached?
  - (3.) Whether the Government are aware that the Land in that locality is not adapted for the settlement of a population engaged in agricultural pursuits?
4. **MR. HOSKINS** to ask THE SECRETARY FOR LANDS,—Whether the Government are aware that the Public Lands at Yates' Flat, upon the River Clarence, are, from their agricultural capabilities, eminently fitted for the settlement of an agricultural population; and, if so, whether it is the intention of the Government to put up for sale, portions of such Lands?
5. **MR. ROBERTS** to ask THE COLONIAL SECRETARY,—
  - (1.) Is it not the fact, that at the late Sittings of the Central Criminal Court, the acquittals, upon the crimes charged, were greatly in excess of the convictions?
  - (2.) Can any, and what causes be assigned for such results?
  - (3.) What was the average expense to the Country of each trial terminating in acquittal, the nature or description of the several offences—the number of cases in which parties were discharged on their own recognizance—also the number of persons who pleaded or were found guilty, or not guilty?
6. **MR. ROBERTS** to ask THE COLONIAL SECRETARY,—If the claims of Robert Arnold, Captain of the Schooner "Coquette," who headed the Expedition to Fraser's Island, and eventually rescued the Two Girls—of which Expedition and rescue a partial report was lately made to the Government—have been in any way recognised or rewarded?
7. **MR. ROBERTS** to ask THE COLONIAL SECRETARY,—Why the Balmain Municipality has not been proclaimed?
8. **MR. PEMELL** to ask THE COLONIAL SECRETARY,—Whether the Government are aware that a quantity of Grain was destroyed by Fire in one of the Railway Trucks, on January 31, 1860, and whether the Government intend to make compensation for the same; and if not, why not?
9. **MR. ASHER** to ask THE SECRETARY FOR LANDS,—Have the Government enforced that portion of the lease between the Government and the late lessees of the Albury Punt, which provides that the said punt and tackle shall be given up to the Government in good order and repair; if they have not enforced this portion of the lease, do they intend to do so; and if not, why not?

FRIDAY, FEBRUARY 24.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Return stating the locality and extent of all City, Town, Suburban, and other Lands in the Settled Districts of the Colony, possession of which has been resumed by the Government, since January 1, 1856.
  - (2.) The names of the Occupants of such Lands at the time of resumption.
  - (3.) The nature and periods of Occupation—and such sums or arrears of rents as may have been received by the Government.
2. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
3. MR. CUMMINGS to move, That the two Petitions relative to a Bridge over the Lachlan River, presented by him on the 17th February, be printed.
4. MR. COOPER to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £10,000, to aid in relieving the sufferers by the late floods in the Districts of Braidwood, Shoalhaven, Illawarra and Penrith and Bega.
5. MR. BYRNES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return of all Fees received by the Chief Clerk, and all other Officials under him in the Insolvent Office, for preparing Affidavits for proof of Debts, Insolvency Schedules, Certificates, and Notices of Application for Certificates, and the amount of fees for the same paid into the Treasury for the years 1857 and 1858.
6. MR. TERRY to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the current year, a sum of money not exceeding £7,000 for a Court House and Gaol at Mudgee.
7. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A copy of all Correspondence between the Government of Queensland and New South Wales, which has been laid before the Executive Council of New South Wales—together with any Minutes of the Executive Council, relative to the payment to the Queensland Government of all balances due on the Assessments, Rents, &c., &c., paid in advance, for one year, in September, 1859, by the Squatters of the Colony of Queensland.
  - (2.) Copies of all Correspondence between the Government of New South Wales and Queensland, relative to the Government of New South Wales continuing to receive Public Moneys, the property of the Colony of Queensland, since the date of the Separation of the latter Colony.

## ORDERS OF THE DAY :—

1. Law of Primogeniture Abolition Bill; second reading.
2. Capital Punishments Abolition Bill; second reading.
3. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
4. Funds for National and Denominational Education; consideration in Committee of Address for.

## Questions :—

1. MR. LUCAS to ask THE SECRETARY FOR LANDS,—If instructions have been given to the proper officer to prepare plans and specifications of the Bridge to the Abattoirs; and if so, when?
2. MR. GORDON to ask THE COLONIAL SECRETARY, in the absence of THE MINISTER FOR WORKS,—What steps have been taken or what progress has been made in erecting suitable quarters or residences for the Pilots' Boats' Crews, at Watson's Bay?
3. MR. CAPE to ask THE SECRETARY FOR LANDS,—Is it the intention of the Government that the eight Roads—Gloucester to Armidale—Wollombi to Congewai—Black Creek to Singleton—Quirindi to Tamworth—Tamworth to Nundle—Tamworth to Warialda—Bendemeer to Bundarra—Armidale to Frazer's Creek—as named in the Official Return of Roads for 1858, but not repaired in 1859, shall have a double portion in the Road Expenditure of 1860; if not, why were these Roads not repaired in 1859, and what is the state of their claims at the present period?

TUESDAY,



## TUESDAY, FEBRUARY 28.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return or Classification of Roads in New South Wales, with the proposed expenditure for the year 1860, similar to the Return ordered by this Assembly to be printed, 21 December, 1858.
2. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia, towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
3. MR. ASHER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence—including Petitions, Memorials, &c.—between the Government and certain Residents of Albury, relative to the Incorporation of that Town; also, all Correspondence, Memorials, &c., between the Government, the Municipal Body there, and others, with reference to the Albury Town Common.
4. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of all Correspondence which has passed between the Crown Law Officers and any other persons, relative to a new Compilation of the Colonial Statutes.

## ORDERS OF THE DAY :—

1. Revenue and Audit Bill; second reading.
2. Tanners' and Carriers' Bill; second reading.
3. Wesley College Bill; second reading.

## WEDNESDAY, FEBRUARY 29.

## Contingent Notice of Motion :—

1. MR. HODGSON to move (*upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read*),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

## GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. State Aid to Religion Abolition Bill; second reading.

## FRIDAY, MARCH 2.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move,—  
(1.) That a Select Committee be appointed to take into consideration the subject of the federation of the Australian Colonies, with a view to ascertain what are the specific objects which it would be desirable to attain through such federation, and whether in the existing circumstances of these Colonies federation is at all practicable.  
(2.) That such Committee consist of the following Members, viz.:—Mr. Arnold, Mr. Black, Mr. Campbell, Mr. Hay, Mr. Jones, Mr. Morris, Mr. Parkes, Mr. Robertson, Mr. Rotton, and the Mover.
2. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.

## ORDERS OF THE DAY :—

1. Lien on Wool Act Continuation Bill; second reading.
2. Necropolis Act Extension Bill; to be further considered in Committee.

## TUESDAY, MARCH 6.

## OTHER BUSINESS—ORDER OF THE DAY :—

1. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."

## TUESDAY, MARCH 13.

## OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.

## THURSDAY, MARCH 15.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Public Lands Bill; second reading.
2. Land Tax Bill; second reading.

T. A. MURRAY,  
Speaker.



No. 65.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 22 FEBRUARY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Extension of Electric Telegraph:—Mr. Hart presented a Petition from certain Residents of the Township and District of Armidale, praying for the Extension of the Electric Telegraph from Maitland to Armidale.  
Petition received.

2. Elective Legislative Council Bill:—Mr. Forster moved, "That" this Bill be now read a second time.

3. Assent to Bills:—The following Messages from His Excellency the Governor General received and read:—

(1.) Maitland Gas-lighting Bill:—

W. DENISON,  
Governor General.

Message No. 25.

A Bill, intituled "*An Act for enabling John Warn Tuck to light with Gas the Towns of East Maitland and West Maitland in the Colony of New South Wales*," as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,  
Sydney, 22nd February, 1860.*

(2.) Loan Bill for 1860:—

W. DENISON,  
Governor General.

Message No. 26.

A Bill, intituled "*An Act to enable the Government to raise a certain Loan to meet Debentures falling due in 1860*," as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,  
Sydney, 22nd February, 1860.*

4. Elective Legislative Council Bill:—The consideration of Mr. Forster's motion, "That" this Bill be now read a second time, (interrupted by the foregoing Messages) resumed. Dr. Lang moved, That the Question be amended by the omission of all the words following the word "That," with a view to the insertion in their place of the words, "in the opinion of this House a second House of Legislation is not necessary in the present circumstances of this Colony."

Debate ensued.

Mr. Parkes moved, That this Debate be now adjourned until this day "fortnight."

Debate continued.

Mr. Wild moved, That the Question for the proposed adjournment be amended, by the omission of the word "fortnight," with a view to the insertion in its place of the words "week, to take precedence of all Other Business on the Paper for that day." The Question—That the word "fortnight," proposed to be omitted, stand part of the Question for the proposed adjournment—having been put and negatived,—

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

The

The House divided.

Ayes, 15.

Mr. Robertson,  
Mr. Windeyer,  
Mr. Parkes,  
Mr. Hart,  
Mr. McArthur,  
Mr. Byrnes,  
Mr. Gordon,  
Mr. Atkinson,  
Mr. Lucas,  
Mr. Weekes,  
Mr. Scott,  
Mr. Jones,  
Mr. Oakes,  
Mr. Jenkins,  
Mr. Wild, } Tellers.

Noes, 34.

Mr. Black,  
Mr. Forster,  
Mr. Samuel,  
Mr. Nott,  
Mr. Russell,  
Mr. Lyons,  
Mr. Morris,  
Rev. Dr. Lang,  
Mr. Garrett,  
Mr. Arnold,  
Mr. Faucett,  
Mr. Watt,  
Mr. Asher,  
Mr. Laidlaw,  
Mr. Hyeronimus,  
Mr. Hurley,  
Mr. Martin,  
Mr. Macleay,  
Mr. Broughton,  
Mr. Ryan,  
Mr. Laycock,  
Mr. Cummings,  
Mr. Loder,  
Mr. Hawkins,  
Mr. Terry,  
Mr. Wilson,  
Mr. Egan,  
Mr. Hay,  
Mr. Cape,  
Mr. Irving,  
Mr. Roberts,  
Mr. Plunkett,  
Mr. Piddington,  
Mr. Hoskins, } Tellers.

Question then—That this Debate be now adjourned to this day—put and negatived.

Whereupon Mr. Faucett moved, That this House do now adjourn.

Debate ensued.

The Question for the proposed adjournment of the House, having been put and negatived,—

Mr. Roberts moved, That this Debate be now adjourned until "Friday" next, to take precedence of all Other Business on the Paper for that day.

Debate ensued.

And the House continuing to sit till after Midnight :—

THURSDAY, 23 FEBRUARY, 1860. A.M.

Mr. Windeyer moved, That the Question for the proposed adjournment be amended, by the omission of the word "Friday," with a view to the insertion in its place of the word "Tuesday."

Question put,—That the word "Friday," proposed to be omitted, stand part of the Question for the proposed adjournment.

The House divided.

Ayes, 38.

Mr. Forster,  
Mr. Black,  
Mr. Samuel,  
Mr. Russell,  
Mr. Hawkins,  
Mr. Jenkins,  
Mr. Hurley,  
Mr. Watt,  
Mr. Faucett,  
Mr. Asher,  
Mr. Hart,  
Mr. Ryan,  
Mr. Hyeronimus,  
Mr. Lyons,  
Mr. Garrett,  
Mr. Wilson,  
Mr. Roberts,  
Mr. McArthur,  
Mr. Cummings,  
Mr. Hoskins,  
Mr. Loder,  
Mr. Weekes,  
Mr. Byrnes,  
Mr. Jones,  
Mr. Atkinson,  
Mr. Lucas,  
Mr. Irving,  
Mr. Macleay,  
Mr. Nott,  
Mr. Laidlaw,  
Mr. Hay,  
Mr. Cape,  
Rev. Dr. Lang,  
Mr. Piddington,  
Mr. Plunkett,  
Mr. Wild,  
Mr. Morris, } Tellers.

Noes, 8:

Mr. Parkes,  
Mr. Windeyer,  
Mr. Scott,  
Mr. Egan,  
Mr. Gordon,  
Mr. Oakes,  
Mr. Robertson, } Tellers.  
Mr. Terry;

Question then put,—That this Debate be now adjourned until Friday next, to take precedence of all other Business on the Paper for that day.

The House divided.

Ayes, 35.

Mr. Forster,  
Mr. Russell,  
Mr. Black,  
Mr. Samuel,  
Mr. Hawkins,  
Mr. Jenkins,  
Mr. Hurley,  
Mr. Watt,  
Mr. Faucett,  
Mr. Asher,  
Mr. Hart,  
Mr. Ryan,  
Mr. Hyeronimus,  
Mr. Lyons,  
Mr. Garrett,  
Mr. Wilson,  
Mr. Roberts,  
Mr. Oakes,  
Mr. Wilson,  
Mr. Roberts,  
Mr. Cummings,  
Mr. Hoskins,  
Mr. Loder,  
Mr. Byrnes,  
Mr. Lucas,  
Mr. Irving,  
Mr. Macleay,  
Mr. Nott,  
Mr. Laidlaw,  
Mr. Hay,  
Mr. Cape,  
Rev. Dr. Lang,  
Mr. Piddington,  
Mr. Plunkett,  
Mr. Robertson, } Tellers.  
Mr. Morris,

Noes, 4.

Mr. Parkes,  
Mr. Windeyer,  
Mr. Terry,  
Mr. Arnold, } Tellers.

5. Postponements :—

(1.) The second reading of the Official Salaries Alteration Bill postponed, on motion of Mr. Samuel, until to-morrow.

(2.) The Resumption of the Committee of Ways and Means postponed, on motion of Mr. Samuel, until Wednesday next.

(3.)

- (3.) The Resumption of the Committee of Supply postponed, on motion of Mr. Samuel, until to-morrow.
- (4.) The second reading of the Harbor, Pilotage, and Navigation Bill postponed, on motion of Mr. Samuel, until to-morrow.
6. State Aid to Religion :—Mr. Robertson moved, pursuant to notice standing in the name of Mr. Atkinson, That the Petition of certain Catholics of Liverpool, against the withdrawal of State Aid to Religion, presented by Mr. Atkinson on the 21st February, be printed.  
Question put and passed.  
Ordered to be printed.
7. Steam Postal Service :—Mr. Parkes moved, pursuant to notice, That the Petition of certain Merchants and other Residents of Sydney, in favor of the immediate establishment of a Steam Postal Service *via* Panama, presented by him on the 21st February, be printed.  
Question put and passed.  
Ordered to be printed.
8. State Aid to Religion :—Mr. Hurley moved, pursuant to notice, That the Petition from Campbelltown, Camden, and Menangle, against the withdrawal of State Aid to Religion, presented by him on the 17th February, be printed.  
Question put and passed.  
Ordered to be printed.
9. Postponement :—Mr. Piddington postponed the motion standing in the name of Mr. Plunkett, No. 4 on the Notice Paper for to-day, until to-morrow.
10. Glebes :—Mr. Hart moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—  
(1.) A Copy of the several Deeds of Grant issued to Trustees for the maintenance of Glebes throughout the Colony.  
(2.) A Return shewing the names of the persons to whom the lands so granted have been leased; the quantity demised in each case; and the amount of annual rent reserved.  
(3.) The total annual value of the lands granted for each Glebe respectively.  
(4.) How the revenue is appropriated.  
Debate ensued.  
Question put and passed.
11. Postponement :—Mr. Parkes postponed the motion standing in his name, No. 6 on the Notice Paper for to-day, until Tuesday next.
12. State Aid to Religion :—Mr. Morris moved, pursuant to notice standing in the name of Mr. Martin, That the Petition from 411 Roman Catholics of Sydney, and also that of the Parishioners of St. Michael's, Surry Hills, against the withdrawal of State Aid to Religion, presented by Mr. Martin on the 16th February, be printed.  
Question put and passed.  
Ordered to be printed.
13. Bridge over the Lachlan River :—Mr. Watt moved, pursuant to notice, That the Petition presented by him on the 17th February, relative to a Bridge over the Lachlan at Cowra, be printed.  
Question put and passed.  
Ordered to be printed.
14. Grievances :—Mr. Parkes moved, pursuant to notice, That Mr. Wisdom be added to the Committee on Grievances, in place of Mr. Flood.  
Question put and passed.
15. Postponements :—  
(1.) The second reading of the Public Ferries Law Amendment Bill postponed, on motion of Mr. Gordon, until Friday, the 9th March.  
(2.) The second reading of the Bank Statements and Abstracts Regulation Bill postponed, on motion of Mr. Gordon, until Friday, the 9th March.  
(3.) The second reading of the Freight and Charges Bill postponed, on motion of Mr. Dalloy, until Tuesday next.
- The House adjourned at twenty minutes before One o'clock, A.M., until Three o'clock, P.M., this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, FEBRUARY 23.

### GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Official Salaries Alteration Bill ; second reading.
2. Supply ; Resumption of the Committee.
3. Harbor, Pilotage, and Navigation Bill ; second reading.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
2. MR. PLUNKETT to move for leave to bring in a Bill to enable the Municipal Council of Sydney to sell certain Debentures.

Questions :—

**Questions :—**

1. **MR. HOSKINS to ask THE SECRETARY FOR LANDS,—**
  - (1.) Whether it is the intention of the Government to put up for sale, allotments of land in the Township of Tabulam, Clarence River; and when?
  - (2.) Whether it is the intention of the Government to put up for sale, land suitable for farms, in the vicinity of the Township of Tabulam; and when?
2. **MR. HOSKINS to ask THE SECRETARY FOR LANDS,—**
  - (1.) Whether the Government are aware that the Commissioner of Crown Lands residing at Grafton has been engaged in extensive purchases of the Public Lands?
  - (2.) Whether that Official has represented to the Government that there was no demand for land in that locality; and if so, at what period such representations were made?
  - (3.) Whether the Government have any objection to lay upon the Table of this House, a Copy of any Correspondence between the Government and such Officer?
  - (4.) Whether it is the intention of the Government to put up for sale, land suitable for farms in that locality; and when?
3. **MR. HOSKINS to ask THE SECRETARY FOR LANDS,—**
  - (1.) Whether the Government has received a Petition, signed by Charles Cheval and others, praying that a Township should be laid out at Fairfield?
  - (2.) Whether the Government have any objection to lay upon the Table of this House, a Copy of the Petition, with Signatures attached?
  - (3.) Whether the Government are aware that the Land in that locality is not adapted for the settlement of a population engaged in agricultural pursuits?
4. **MR. HOSKINS to ask THE SECRETARY FOR LANDS,—**Whether the Government are aware that the Public Lands at Yates' Flat, upon the River Clarence, are, from their agricultural capabilities, eminently fitted for the settlement of an agricultural population; and, if so, whether it is the intention of the Government to put up for sale, portions of such Lands?
5. **MR. ROBERTS to ask THE COLONIAL SECRETARY,—**
  - (1.) Is it not the fact, that at the late Sittings of the Central Criminal Court, the acquittals, upon the crimes charged, were greatly in excess of the convictions?
  - (2.) Can any, and what causes be assigned for such results?
  - (3.) What was the average expense to the Country of each trial terminating in acquittal, the nature or description of the several offences—the number of cases in which parties were discharged on their own recognizance—also the number of persons who pleaded or were found guilty, or not guilty?
6. **MR. ROBERTS to ask THE COLONIAL SECRETARY,—**If the claims of Robert Arnold, Captain of the Schooner "Coquette," who headed the Expedition to Fraser's Island, and eventually rescued the Two Girls—of which Expedition and rescue a partial report was lately made to the Government—have been in any way recognised or rewarded?
7. **MR. ROBERTS to ask THE COLONIAL SECRETARY,—**Why the Balmain Municipality has not been proclaimed?
8. **MR. PENELL to ask THE COLONIAL SECRETARY,—**Whether the Government are aware that a quantity of Grain was destroyed by Fire in one of the Railway Trucks, on January 31, 1860, and whether the Government intend to make compensation for the same; and if not, why not?
9. **MR. ASHER to ask THE SECRETARY FOR LANDS,—**Have the Government enforced that portion of the lease between the Government and the late lessees of the Albury Punt, which provides that the said punt and tackle shall be given up to the Government in good order and repair; if they have not enforced this portion of the lease, do they intend to do so; and if not, why not?

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**FRIDAY, FEBRUARY 24.****GOVERNMENT BUSINESS—ORDER OF THE DAY:—**

1. Resumption of the adjourned Debate on Mr. Forster's motion, "That" the Elective Legislative Council Bill be now read a second time,—upon which Dr. Lang had moved by way of amendment that all the words following the word "That" be omitted, with a view to the insertion in their place of the words, "in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony."

**OTHER BUSINESS—NOTICES OF MOTION:—**

1. **MR. CAPE to move,** That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Return stating the locality and extent of all City, Town, Suburban, and other Lands in the Settled Districts of the Colony, possession of which has been resumed by the Government, since January 1, 1856.
  - (2.) The names of the Occupants of such Lands at the time of resumption.
  - (3.) The nature and periods of Occupation—and such sums or arrears of rents as may have been received by the Government.
2. **MR. PARKES to move,** That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.

- (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
- (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
- (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
3. MR. CUMMINGS to move, That the two Petitions relative to a Bridge over the Lachlan River, presented by him on the 17th February, be printed.
4. MR. COOPER to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £10,000, to aid in relieving the sufferers by the late floods in the Districts of Braidwood, Shoalhaven, Illawarra and Penrith and Bega.
5. MR. BYRNES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return of all Fees received by the Chief Clerk, and all other Officials under him in the Insolvent Office, for preparing Affidavits for proof of Debts, Insolvency Schedules, Certificates, and Notices of Application for Certificates, and the amount of fees for the same paid into the Treasury for the years 1857 and 1858.
6. MR. TERRY to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the current year, a sum of money not exceeding £7,000 for a Court House and Gaol at Mudgee.

#### ORDERS OF THE DAY:—

1. Law of Primogeniture Abolition Bill; second reading.
2. Capital Punishments Abolition Bill; second reading.
3. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
4. Funds for National and Denominational Education; consideration in Committee of Address for.

#### Questions:—

1. MR. LUCAS to ask THE SECRETARY FOR LANDS,—If instructions have been given to the proper officer to prepare plans and specifications of the Bridge to the Abattoirs; and if so, when?
2. MR. GORDON to ask THE COLONIAL SECRETARY, in the absence of THE MINISTER FOR WORKS,—What steps have been taken or what progress has been made in erecting suitable quarters or residences for the Pilots' Boats' Crews, at Watson's Bay?
3. MR. CAPE to ask THE SECRETARY FOR LANDS,—Is it the intention of the Government that the eight Roads—Gloucester to Armidale—Wollombi to Congewai—Black Creek to Singleton—Quirindi to Tamworth—Tamworth to Nundle—Tamworth to Warialda—Bendemeer to Bundarra—Armidale to Frazer's Creek—as named in the Official Return of Roads for 1858, but not repaired in 1859, shall have a double portion in the Road Expenditure of 1860; if not, why were these Roads not repaired in 1859, and what is the state of their claims at the present period?

#### TUESDAY, FEBRUARY 28.

#### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return or Classification of Roads in New South Wales, with the proposed expenditure for the year 1860, similar to the Return ordered by this Assembly to be printed, 21 December, 1858.
2. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia, towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
3. MR. ASHER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence—including Petitions, Memorials, &c.—between the Government and certain Residents of Albury, relative to the Incorporation of that Town; also, all Correspondence, Memorials, &c., between the Government, the Municipal Body there, and others, with reference to the Albury Town Common.
4. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of all Correspondence which has passed between the Crown Law Officers and any other persons, relative to a new Compilation of the Colonial Statutes.
5. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A copy of all Correspondence between the Government of Queensland and New South Wales, which has been laid before the Executive Council of New South Wales—  
together

together with any Minutes of the Executive Council, relative to the payment to the Queensland Government of all balances due on the Assessments, Rents, &c., &c., paid in advance, for one year, in September, 1859, by the Squatters of the Colony of Queensland.

(2.) Copies of all Correspondence between the Government of New South Wales and Queensland, relative to the Government of New South Wales continuing to receive Public Moneys, the property of the Colony of Queensland, since the date of the Separation of the latter Colony.

6. MR. MORRIS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All Correspondence between Captain Douglas, the Gold Commissioner at the Hanging Rock Diggings, and the Attorney General, relative to the proceedings in the case of Bunch, Sergeant of the Gold Police, *versus* M'Alveen and others, charged with the commission of a common nuisance at Nundle.
  - (2.) A Copy of the Depositions taken in the said case at the Police Office at Nundle.
7. MR. BYRNES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Returns:—
  - (1.) Original cost of constructing the Great Southern Line of Railway between Sydney and Parramatta, and between Parramatta and Campbelltown, and the amount paid as premium to the original Proprietors of Line between Sydney and Parramatta.
  - (2.) Annual expenses of repairing and keeping in order the Permanent Way.
  - (3.) Annual expenses of repairing the Rolling Stock, particularizing the Engines.
  - (4.) Expenses of running the Great Southern Trains, and gross receipts of same, under two distinct heads of Passenger and Goods' Traffic.
  - (5.) Number of Passengers per month between Sydney and Parramatta prior to late reduction of Fares, and same since that reduction took place.
8. MR. BYRNES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Returns, viz.:—
  - (1.) Original cost of constructing the Northern Line of Railway, and premium paid to original Proprietors.
  - (2.) Annual expenses of repairing and keeping in order the Permanent Way.
  - (3.) Expenses of repairing the Rolling Stock, particularizing the Engines.
  - (4.) Expenses of running the Northern Trains, and gross receipts of same.
9. MR. HART to move, That the Petition from Armidale, relative to Telegraphic Communication, presented by him on the 22nd February, be printed.
10. MR. PARKES to move, That the Progress Report from the Select Committee to whom was referred the Petition of Mr. John Malley, be transmitted by Address to His Excellency the Governor General, with a request that the Petitioner's claim to the reimbursement of £38 10s., as therein set forth, may be considered.

#### ORDERS OF THE DAY:—

1. Revenue and Audit Bill; second reading.
2. Tanners' and Curriers' Bill; second reading.
3. Wesley College Bill; second reading.
4. Freight and Charges Bill; second reading.

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#### WEDNESDAY, FEBRUARY 29.

#### Contingent Notice of Motion:—

1. MR. HONGSON to move (*upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read*),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

#### GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. State Aid to Religion Abolition Bill; second reading.
2. Ways and Means; Resumption of the Committee.

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#### FRIDAY, MARCH 2.

#### OTHER BUSINESS—NOTICES OF MOTION:—

1. DR. LANG to move,—
  - (1.) That a Select Committee be appointed to take into consideration the subject of the federation of the Australian Colonies, with a view to ascertain what are the specific objects which it would be desirable to attain through such federation, and whether in the existing circumstances of these Colonies federation is at all practicable.
  - (2.) That such Committee consist of the following Members, viz.:—Mr. Arnold, Mr. Black, Mr. Campbell, Mr. Hay, Mr. Jones, Mr. Morris, Mr. Parkes, Mr. Robertson, Mr. Rotton, and the Mover.
2. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency



Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.

ORDERS OF THE DAY :—

1. Lien on Wool Act Continuation Bill ; second reading.
2. Necropolis Act Extension Bill ; to be further considered in Committee.

TUESDAY, MARCH 6.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Primary Education Encouragement Bill ; Resumption of the adjourned debate on Mr. Oxley's motion, " That this Bill be now read a second time. "

FRIDAY, MARCH 9.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Public Ferries Law Amendment Bill ; second reading.
2. Bank Statements and Abstracts Regulation Bill ; second reading.

TUESDAY, MARCH 13.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.

THURSDAY, MARCH 15.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Public Lands Bill ; second reading.
2. Land Tax Bill ; second reading.

T. A. MURRAY,  
*Speaker.*



No. 66.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

THURSDAY, 23 FEBRUARY, 1860.

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

Point of Order :—

(1.) The Speaker represented to the House that—having accidentally discovered that the Commission, issued to the late Speaker at the commencement of the present Session, empowering him to administer the Oath or Affirmation of Allegiance to Her Majesty the Queen required by law to be taken or made and subscribed by any Member before he shall be permitted to sit and vote in the Assembly, did not expressly continue such authority to Sir Daniel Cooper's successor or to the Speaker for the time being—he had thought it necessary to communicate with the Executive on the subject, with a view to the issue of such a Commission directly to himself.

(2.) Speaker's Commission for Administering Oath :—The Speaker then reported that His Excellency the Governor General had been pleased to issue a Commission, under the Seal of the Territory, empowering him to administer the Oath or Affirmation of Allegiance to such Members as may hereafter present themselves to be sworn—which Commission was read at length, as follows :—

*" By His Excellency SIR WILLIAM THOMAS DENISON, Knight Commander of the Most Honorable Order of the Bath, Governor General in and over all Her Majesty's Colonies of New South Wales, Tasmania, Victoria, South Australia, and Western Australia, and 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.*

*" To all to whom these Presents shall come,*

*" GREETING :*

*" In pursuance of the authority in me vested in that behalf, I, SIR WILLIAM THOMAS DENISON, as Governor of the Colony of New South Wales, do hereby authorize the Honorable Terence Aubrey Murray, Esquire, Speaker of the Legislative Assembly of the said Colony, to administer from time to time, as occasion may require, to any Members of the said Assembly to whom the same shall not have been previously administered, the Oath or Affirmation of Allegiance to Her Majesty the Queen, required by Law to be taken or made and subscribed by every such Member before he shall be permitted to sit or vote in the said Legislative Assembly.*

*" Given under my Hand and the Seal of the Territory, at Government House, Sydney, this twenty-third day of February, in the year of Our Lord One thousand eight hundred and sixty, and in the twenty-third year of Her Majesty's Reign.*

*" W. DENISON.*

*" By His Excellency's Command, and with the advice of the Executive Council,*

*" WILLIAM FORSTER."*

(3.) Member re-sworn :—The Speaker deeming it advisable that, under the circumstances abovementioned, Mr. Lucas, who had taken his Seat before the issue of the new Commission, should be re-sworn, and subscribe the Roll anew,—

John Lucas, Esquire, took the Oath and subscribed the Roll, accordingly, as a Member for the Electoral District of Canterbury.

2. Questions put to Ministers :—Mr. Hoskins proceeding to ask the Secretary for Lands the Question standing in his name No. 2 on the Notice Paper for to-day,—the Speaker reiterated his opinion, founded on the practice of the Imperial Parliament, (as entered on the Votes and Proceedings of the 14th instant,) that Questions put to Ministers

Ministers of the Crown should be limited, as far as possible, to matters immediately connected with the business of Parliament, and should be put in a manner which does not involve opinion, argument, or inference,—

And a discussion arising, which was considered by the Speaker to be out of order,—Mr. Irving, in order to give regularity to his own remarks, moved,—That this House do now adjourn.

Question put and negatived.

And the Question alluded to not being asked, the matter dropped.

3. Camperdown Cemetery:—Mr. McArthur presented a Petition from certain Landed Proprietors and Residents of Kingston, O'Connell Town, and Camperdown, suburban to Sydney, and chiefly of Newtown, complaining of the existence of the Cemetery at Camperdown.

Petition received.

4. Paper:—Mr. Forster (in replying to Question No. 5 on the Paper for to-day in the name of Mr. Roberts) laid upon the Table a Tabular Return (marked "No. 2") of Cases tried at the late Session of the Central Criminal Court, specifying particulars. Ordered to be printed.

5. Postponement:—The second reading of the Official Salaries Alteration Bill postponed, on motion of Mr. Forster, until Wednesday next.

6. Supply:—On motion of Mr. Samuel the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty for the Service of the year 1859-60.

The Chairman having reported that there was not a Quorum present in the Committee, the House was counted, and there being Twenty Members present exclusive of the Speaker, the Committee resumed.

The Chairman having again reported that there was not a quorum present in the Committee, the House was counted, and there being Twenty Members present, exclusive of the Speaker, the Committee resumed.

The Chairman having again reported that there was not a quorum present in the Committee, the House was counted, and there being Twenty Members present, exclusive of the Speaker, the Committee resumed.

The Chairman obtained leave to sit again on Wednesday next, and reported the following Resolution:—

(48.) Resolved, That there be granted to Her Majesty, as a further charge for the Service of the year 1860, a sum, not exceeding £3,000, to meet the expenses that may be incurred for the Relief of the Sufferers by the recent Floods in the Southern Districts.

Mr. Samuel then moved, That this House do now adopt this Resolution.

Question put and passed.

The House adjourned, on motion of Mr. Samuel, at seventeen minutes before Ten o'clock, until to-morrow at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, FEBRUARY 24.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Resumption of the adjourned Debate on Mr. Forster's motion, "That" the Elective Legislative Council Bill be now read a second time,—upon which Dr. Lang had moved by way of amendment that all the words following the word "That" be omitted, with a view to the insertion in their place of the words, "in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony."

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A Return stating the locality and extent of all City, Town, Suburban, and other Lands in the Settled Districts of the Colony, possession of which has been resumed by the Government, since January 1, 1856.
  - (2.) The names of the Occupants of such Lands at the time of resumption.
  - (3.) The nature and periods of Occupation—and such sums or arrears of rents as may have been received by the Government.
2. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing showing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
3. MR. CUMMINGS to move, That the two Petitions relative to a Bridge over the Lachlan River, presented by him on the 17th February, be printed.

4. MR. COOPER to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole; to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £10,000; to aid in relieving the sufferers by the late floods in the Districts of Braidwood, Shoalhaven, Illawarra and Penrith and Bega.
5. MR. BYRNES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return of all Fees received by the Chief Clerk, and all other Officials under him in the Insolvent Office, for preparing Affidavits for proof of Debts, Insolvency Schedules, Certificates, and Notices of Application for Certificates, and the amount of fees for the same paid into the Treasury for the years 1857 and 1858.
6. MR. TERRY to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the current year, a sum of money not exceeding £7,000 for a Court House and Gaol at Mudgee.
7. MR. WINDEYER to move,—
  - (1.) That the Petition of certain Inhabitants of Sydney, relative to the establishment of a Grammar School, referred, on the 6th of October, 1854, to the Committee then sitting on Education, be referred to the Committee appointed to inquire into the working of the Sydney Grammar School.
  - (2.) That the Progress Report of the 21st of November, 1854, of the Select Committee on Education, in reference especially to the establishment of a Grammar School in the City of Sydney, together with the evidence accompanying the same, be also referred to the same Committee.
8. MR. GARRETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Mr. Surveyor Roland's Report of the road leading from the navigable waters of the Shoalhaven to Goulburn.
9. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
10. MR. PLUNKETT to move for leave to bring in a Bill to enable the Municipal Council of Sydney to sell certain Debentures.

ORDERS OF THE DAY:—

1. Law of Primogeniture Abolition Bill; second reading.
2. Capital Punishments Abolition Bill; second reading.
3. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
4. Funds for National and Denominational Education; consideration in Committee of Address for.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Harbor, Pilotage, and Navigation Bill; second reading.

Questions:—

1. MR. LUCAS to ask THE SECRETARY FOR LANDS,—If instructions have been given to the proper officer to prepare plans and specifications of the Bridge to the Abattoirs; and if so, when?
2. MR. GORDON to ask THE COLONIAL SECRETARY, in the absence of THE MINISTER FOR WORKS,—What steps have been taken or what progress has been made in erecting suitable quarters or residences for the Pilots' Boats' Crews, at Watson's Bay?
3. MR. CAPE to ask THE SECRETARY FOR LANDS,—Is it the intention of the Government that the eight Roads—Gloucester to Armidale—Wollombi to Congewai—Black Creek to Singleton—Quirindi to Tamworth—Tamworth to Nundle—Tamworth to Warialda—Bendemoer to Bundarra—Armidale to Fraser's Creek—as named in the Official Return of Roads for 1858, but not repaired in 1859, shall have a double portion in the Road Expenditure of 1860; if not, why, were these Roads not repaired in 1859, and what is the state of their claims at the present period?
4. MR. WILSON to ask THE SECRETARY FOR LANDS,—When it is the intention of the Government to establish a Gold Escort to Kiandra?
5. MR. MACLEAY to ask THE SECRETARY FOR LANDS,—What progress has been made, since the 1st of December, 1859, when a question was put to the Government on the subject towards fixing the site and preparing a plan and estimate of a Bridge over the Murrumbidgee, at Gundagai?
6. MR. LODER to ask THE SECRETARY FOR LANDS,—Whether he is aware that the Court House at Tabulam was submerged a few years since; and that the Constables were compelled to live on the roof for several days?

TUESDAY, FEBRUARY 28.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return or Classification of Roads in New South Wales, with the proposed expenditure for the year 1860, similar to the Return ordered by this Assembly, to be printed, 21 December, 1858.

2. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia, towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
3. MR. ASHER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence—including Petitions, Memorials, &c.—between the Government and certain Residents of Albury, relative to the Incorporation of that Town; also, all Correspondence, Memorials, &c., between the Government, the Municipal Body there, and others, with reference to the Albury Town Common.
4. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of all Correspondence which has passed between the Crown Law Officers and any other persons, relative to a new Compilation of the Colonial Statutes.
5. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A copy of all Correspondence between the Government of Queensland and New South Wales, which has been laid before the Executive Council of New South Wales—together with any Minutes of the Executive Council, relative to the payment to the Queensland Government of all balances due on the Assessments, Rents, &c., &c., paid in advance, for one year, in September, 1859, by the Squatters of the Colony of Queensland.
  - (2.) Copies of all Correspondence between the Government of New South Wales and Queensland, relative to the Government of New South Wales continuing to receive Public Moneys, the property of the Colony of Queensland, since the date of the Separation of the latter Colony.
6. MR. MORRIS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All Correspondence between Captain Douglas, the Gold Commissioner at the Hanging Rock Diggings, and the Attorney General, relative to the proceedings in the case of Bunch, Sergeant of the Gold Police, *versus* McIlveen and others, charged with the commission of a common nuisance at Nundle.
  - (2.) A Copy of the Depositions taken in the said case at the Police Office at Nundle.
7. MR. BYRNES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Returns:—
  - (1.) Original cost of constructing the Great Southern Line of Railway between Sydney and Parramatta, and between Parramatta and Campbelltown, and the amount paid as premium to the original Proprietors of Line between Sydney and Parramatta.
  - (2.) Annual expenses of repairing and keeping in order the Permanent Way.
  - (3.) Annual expenses of repairing the Rolling Stock, particularizing the Engines.
  - (4.) Expenses of running the Great Southern Trains, and gross receipts of same, under two distinct heads of Passenger and Goods' Traffic.
  - (5.) Number of Passengers per month between Sydney and Parramatta prior to late reduction of Fares, and same since that reduction took place.
8. MR. BYRNES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Returns, viz.:—
  - (1.) Original cost of constructing the Northern Line of Railway, and premium paid to original Proprietors.
  - (2.) Annual expenses of repairing and keeping in order the Permanent Way.
  - (3.) Expenses of repairing the Rolling Stock, particularizing the Engines.
  - (4.) Expenses of running the Northern Trains, and gross receipts of same.
9. MR. HART to move, That the Petition from Armidale, relative to Telegraphic Communication, presented by him on the 22nd February, be printed.
10. MR. PARKES to move, That the Progress Report from the Select Committee to whom was referred the Petition of Mr. John Malley, be transmitted by Address to His Excellency the Governor General, with a request that the Petitioner's claim to the reimbursement of £38 10s., as therein set forth, may be considered.
11. MR. MCARTHUR to move, That the Petition relative to the Camperdown Cemetery, presented by him on the 23rd February, be printed.

ORDERS OF THE DAY:—

1. Revenue and Audit Bill; second reading.
2. Tanners' and Carriers' Bill; second reading.
3. Wesley College Bill; second reading.
4. Freight and Charges Bill; second reading.

Questions:—

1. MR. MCARTHUR to ask THE SECRETARY FOR LANDS,—
  - (1.) If the Government are aware that large quantities of night soil are frequently deposited upon land adjacent to the Lower Randwick Road, which forms a portion of the water reserve?
  - (2.) If the Government are aware that during the recent heavy rains the drainage from these deposits flowed into the water at Botany, from which the City is supplied; and if so, whether any steps have been taken to prevent a recurrence of the evil?

2. MR. HART to ask THE COLONIAL SECRETARY,—If the Government, since the 20th December last, when the Honorable the Chief Secretary gave an answer upon the same subject, have come to any determination respecting the appointment of a Clerk of Petty Sessions at Walcha, in compliance with a Petition from the Bench of Magistrates and other Inhabitants at that place?

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WEDNESDAY, FEBRUARY 29.

*Contingent Notice of Motion :—*

1. MR. HODGSON to move (*upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read*),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. State Aid to Religion Abolition Bill; second reading.
2. Ways and Means; Resumption of the Committee.
3. Official Salaries Alteration Bill; second reading.
4. Supply; Resumption of the Committee.

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FRIDAY, MARCH 2.

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move,—  
(1.) That a Select Committee be appointed to take into consideration the subject of the federation of the Australian Colonies, with a view to ascertain what are the specific objects which it would be desirable to attain through such federation, and whether in the existing circumstances of these Colonies federation is at all practicable.  
(2.) That such Committee consist of the following Members, viz.:—Mr. Arnold, Mr. Black, Mr. Campbell, Mr. Hay, Mr. Jones, Mr. Morris, Mr. Parkes, Mr. Robertson, Mr. Rotton, and the Mover.
2. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
3. MR. McARTHUR to move for leave to introduce a Bill for the removal of the Toll-bar in Botany-street, Redfern, to a more suitable position.

ORDERS OF THE DAY :—

1. Lien on Wool Act Continuation Bill; second reading.
2. Necropolis Act Extension Bill; to be further considered in Committee.

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TUESDAY, MARCH 6.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."

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FRIDAY, MARCH 9.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Public Ferries Law Amendment Bill; second reading.
2. Bank Statements and Abstracts Regulation Bill; second reading.

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TUESDAY, MARCH 13.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.

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THURSDAY, MARCH 15.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Public Lands Bill; second reading.
2. Land Tax Bill; second reading.

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T. A. MURRAY,  
Speaker





No. 67.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

FRIDAY, 24 FEBRUARY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
State Aid to Religion :—Mr. Roberts presented a Petition from certain subjects of Her Majesty, professing the Catholic Religion, and residing in the Town and District of Goulburn, and County of Argyle, against the abolition of State Aid to Religion.  
Petition received.
2. Camperdown Cemetery :—Mr. Lucas presented a Petition from certain Landed Proprietors and Residents of Camperdown, complaining of the existence of the Cemetery at Camperdown.  
Petition received.
3. Bryan Fitzgerald :—Mr. Parkes presented a Petition from Bryan Fitzgerald, of Sydney, representing that, having held the office of Light Keeper at South Head Lighthouse for several years, he was removed to Newcastle Lighthouse, which removal injured his health so severely that he was thereby compelled to resign, and is now in a state of destitution; and praying relief.  
Petition received.
4. Charles Skerrett :—Mr. Arnold (*with the concurrence of the House*) moved (*without notice*), That the Return to the Address in reference to Charles Skerrett, laid upon the Table by the Colonial Secretary on Friday, the 17th instant, be referred to the Select Committee now sitting on the Cases of Charles Skerrett.  
Question put and passed.
5. Leave of Absence for a fortnight, from Tuesday last, granted to Mr. Rotton, on motion of Mr. Robertson.
6. Church of England Schools, Parish of St. Lawrence, Sydney :—Mr. Faucett presented a Petition from certain Members of the United Church of England and Ireland, and other Residents in and connected with the Parish of St. Lawrence, Sydney, praying that there may be such a distribution of the funds set apart for Educational purposes as will afford an equitable measure of aid to the Petitioners in their exertions for the extension of School accommodation in that Parish.  
Petition received.
7. Elective Legislative Council Bill :—The Debate on Mr. Forster's motion, "That" the Elective Legislative Council Bill be now read a second time,—upon which Dr. Lang had moved by way of amendment that all the words following the word "That" be omitted, with a view to the insertion in their place of the words, "in the opinion of this House, a second House of Legislation is not necessary in the present circumstances of this Colony,"—resumed.

And the House continuing to sit till after Midnight;—

SATURDAY, 25 FEBRUARY, 1860. A.M.

Question put.—That the words proposed to be omitted stand part of the Question.

The House divided.

Ayes, 43.

Mr. Forster,	Mr. Onkes,
Mr. Black,	Mr. Cummings,
Mr. Nott,	Mr. Egan,
Mr. Mort,	Mr. Irving,
Mr. Hawkins,	Mr. Campbell,
Mr. Broughton,	Mr. Terry,
Mr. Roberts,	Mr. Jones,
Mr. Gordon,	Mr. Ryan,
Mr. Wild,	Mr. Martin,
Mr. Jenkins,	Mr. Atkinson,
Mr. Hamilton,	Mr. Scott,
Mr. Russell,	Mr. Close,
Mr. Piddington,	Mr. Clements,
Mr. McArthur,	Mr. Hay,
Mr. Hart,	Mr. Lyons,
Mr. Watt,	Mr. Loder,
Mr. Parkes,	Mr. Gray,
Mr. Weekes,	Mr. Cape,
Mr. Windeyer,	Mr. Plunkett,
Mr. Faucett,	Mr. Morris,
Mr. Hurley,	Mr. Wilson,
Mr. Laidlaw,	

} Tellers.

Noes, 10.

Rev. Dr. Lang,
Mr. Robertson,
Mr. Arnold,
Mr. Wisdom,
Mr. Lucas,
Mr. Pemell,
Mr. Garrett,
Mr. Asher,
Mr. Hoskins,
Mr. Dalley,

} Tellers.

Original

Original Question put.  
The House divided.

Ayes, 26.

Mr. Forster,	Mr. Clements,	
Mr. Black,	Mr. Hay,	
Mr. Nott,	Mr. Loder,	
Mr. Roberts,	Mr. Lyons,	
Mr. Gordon,	Mr. Cape,	
Mr. Hamilton,	Mr. Plunkett,	
Mr. Russell,	Mr. Wilson,	
Mr. Piddington,	Rev. Dr. Lang,	
Mr. Watt,	Mr. Wild,	
Mr. Laidlaw,	Mr. Hawkins,	} Tellers.
Mr. Garrett,	Mr. Broughton,	
Mr. Hoskins,		
Mr. Hyeronimus,		
Mr. Hurley,		
Mr. Close,		

Noes, 29.

Mr. Arnold,	Mr. Laycock,	
Mr. Wisdom,	Mr. Cummings,	
Mr. Lucas,	Mr. Campbell,	
Mr. Pemell,	Mr. Jenkins,	
Mr. McArthur,	Mr. Asher,	
Mr. Parkes,	Mr. Martin,	
Mr. Windeyer,	Mr. Terry,	
Mr. Irving,	Mr. Atkinson,	
Mr. Egan,	Mr. Jones,	
Mr. Gray,	Mr. Scott,	
Mr. Hart,	Mr. Oakes,	
Mr. Mort,	Mr. Dalley,	
Mr. Weekes,	Mr. Robertson,	} Tellers.
Mr. Ryan,	Mr. Morris,	
Mr. Faucett,		

18. Lands in the Settled Districts:—Mr. Cape moved, pursuant to notice, That an Address, be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—

(1.) A Return stating the locality and extent of all City, Town, Suburban, and other Lands in the Settled Districts of the Colony, possession of which has been resumed by the Government, since January 1, 1856.

(2.) The names of the Occupants of such Lands at the time of resumption.

(3.) The nature and periods of Occupation—and such sums or arrears of rents as may have been received by the Government.

Motion made by Mr. Egan, and Question put,—That this House do now adjourn until Three o'clock on Tuesday next.

The House divided.

Ayes, 5.

Mr. Watt,	
Mr. Close,	
Mr. Campbell,	
Mr. Forster,	} Tellers.
Mr. Black,	

Noes, 48.

Mr. Nott,	Mr. Weekes,	
Mr. Arnold,	Mr. Cummings,	
Mr. Wisdom,	Mr. Loder,	
Mr. Lucas,	Mr. Wild,	
Mr. Hoskins,	Mr. Piddington,	
Mr. McArthur,	Mr. Hurley,	
Mr. Parkes,	Mr. Faucett,	
Mr. Windeyer,	Mr. Hyeronimus,	
Mr. Irving,	Mr. Pemell,	
Mr. Egan,	Mr. Hamilton,	
Mr. Clements,	Mr. Asher,	
Mr. Gray,	Mr. Martin,	
Mr. Hart,	Mr. Terry,	
Mr. Ryan,	Mr. Atkinson,	
Mr. Laidlaw,	Mr. Jones,	
Mr. Faucett,	Mr. Scott,	
Mr. Roberts,	Mr. Oakes,	
Mr. Hawkins,	Mr. Dalley,	
Mr. Laycock,	Mr. Wilson,	
Mr. Jenkins,	Mr. Plunkett,	
Mr. Cape,	Mr. Lyons,	
Mr. Garrett,	Rev. Dr. Lang,	
Mr. Broughton,	Mr. Robertson,	} Tellers.
Mr. Hay,	Mr. Morris,	

\* So in Tellers' List.

Original Question then put and passed.

9. Postponement:—Mr. Parkes postponed the motion standing in his name, No. 2 on the Notice Paper for to-day, until Tuesday next.

10. Bridge over the Lachlan River:—Mr. Cummings moved, pursuant to notice, That the two Petitions relative to a Bridge over the Lachlan River, presented by him on the 17th February, be printed.

Question put and passed.

Ordered to be printed.

11. Motions dropped:—

(1.) Mr. Cooper not making the motion standing in his name, No. 4 on the Notice Paper for to-day, it dropped.

(2.) Mr. Byrnes not making the motion standing in his name, No. 5 on the Notice Paper for to-day, it dropped.

12. Postponements:—

(1.) Mr. Terry postponed the motion standing in his name, No. 6 on the Notice Paper of Other Business for to-day, until Tuesday next.

(2.) Mr. Windeyer postponed the motion standing in his name, No. 7 on the Notice Paper of Other Business for to-day, until Tuesday next.

(3.) Mr. Garrett postponed the motion standing in his name, No. 8 on the Notice Paper of Other Business for to-day, until Tuesday next.

(4.) Mr. Robertson postponed the motion standing in his name, No. 9 on the Notice Paper of Other Business for to-day, until this day week.

(5.) Mr. Plunkett postponed the motion standing in his name, No. 10 on the Notice Paper of Other Business for to-day, until this day week.

(6.) The second reading of the Law of Primogeniture Abolition Bill postponed, on motion of Mr. Parkes, until Tuesday next.

(7.) The second reading of the Capital Punishment Abolition Bill postponed, on motion of Mr. Parkes, until next Tuesday fortnight.

(8.)

- (8.) The consideration in Committee, of Address for Funds for Experimental Quartz Crushing Machine, postponed, on motion of Mr. Wilson, until Tuesday next.
- (9.) The consideration in Committee of Address for Funds for National and Denominational Education, postponed, on motion of Mr. Parkes, until Tuesday next.
- (10.) The second reading of the Harbor Pilotage and Navigation Bill postponed, on motion of Mr. Black, until Wednesday next.
- The House adjourned at a quarter-past One o'clock, A.M., until Three o'clock on Tuesday next.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, FEBRUARY 28.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return or Classification of Roads in New South Wales, with the proposed expenditure for the year 1860, similar to the Return ordered by this Assembly to be printed, 21 December, 1858.
2. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia, towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
3. MR. ASHER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence—including Petitions, Memorials, &c.—between the Government and certain Residents of Albury, relative to the Incorporation of that Town; also, all Correspondence, Memorials, &c., between the Government, the Municipal Body there, and others, with reference to the Albury Town Common.
4. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of all Correspondence which has passed between the Crown Law Officers and any other persons, relative to a new Compilation of the Colonial Statutes.
5. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A copy of all Correspondence between the Government of Queensland and New South Wales, which has been laid before the Executive Council of New South Wales—together with any Minutes of the Executive Council, relative to the payment to the Queensland Government of all balances due on the Assessments, Rents, &c., &c., paid in advance, for one year, in September, 1859, by the Squatters of the Colony of Queensland.
  - (2.) Copies of all Correspondence between the Government of New South Wales and Queensland, relative to the Government of New South Wales continuing to receive Public Moneys, the property of the Colony of Queensland, since the date of the Separation of the latter Colony.
6. MR. MORRIS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All Correspondence between Captain Douglas, the Gold Commissioner at the Hanging Rock Diggings, and the Attorney General, relative to the proceedings in the case of Bunch, Sergeant of the Gold Police, *versus* McIlveen and others, charged with the commission of a common nuisance at Nundle.
  - (2.) A Copy of the Depositions taken in the said case at the Police Office at Nundle.
7. MR. BYRNES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Returns :—
  - (1.) Original cost of constructing the Great Southern Line of Railway between Sydney and Parramatta, and between Parramatta and Campbelltown, and the amount paid as premium to the original Proprietors of Line between Sydney and Parramatta.
  - (2.) Annual expenses of repairing and keeping in order the Permanent Way.
  - (3.) Annual expenses of repairing the Rolling Stock, particularizing the Engines.
  - (4.) Expenses of running the Great Southern Trains, and gross receipts of same, under two distinct heads of Passenger and Goods' Traffic.
  - (5.) Number of Passengers per month between Sydney and Parramatta prior to late reduction of Fares, and same since that reduction took place.
8. MR. BYRNES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Returns, viz. :—
  - (1.) Original cost of constructing the Northern Line of Railway, and premium paid to original Proprietors.
  - (2.) Annual expenses of repairing and keeping in order the Permanent Way.
  - (3.) Expenses of repairing the Rolling Stock, particularizing the Engines.
  - (4.) Expenses of running the Northern Trains, and gross receipts of same.

9. Mr. HART to move, That the Petition from Armidale, relative to Telegraphic Communication, presented by him on the 22nd February, be printed.
10. Mr. PARKES to move, That the Progress Report from the Select Committee to whom was referred the Petition of Mr. John Malley, be transmitted by Address to His Excellency the Governor General, with a request that the Petitioner's claim to the reimbursement of £38 10s., as therein set forth, may be considered.
11. Mr. McARTHUR to move, That the Petition relative to the Camperdown Cemetery, presented by him on the 23rd February, be printed.
12. Dr. LANG to move for leave to bring in a Bill to amend the Moreton Bay Immigration and Land Company's Act of 1855.
13. Mr. ROBERTS to move, That the Petition against the withdrawal of State Aid to Religion, presented by him on the 24th February, be printed.
14. Mr. LUCAS to move, That the Petition relative to the Camperdown Cemetery, presented by him on the 24th February, be printed.
15. Mr. FAUCETT to move, That the Petition from certain Members of the United Church of England and Ireland, relative to Denominational Schools, presented by him on the 24th February, be printed.
16. Mr. PARKES to move, That the Petition of Bryan Fitzgerald, presented by him on the 24th February, be printed.
17. Mr. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
18. Mr. TERRY to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the current year, a sum of money not exceeding £7,000 for a Court House and Gaol at Mudgee.
19. Mr. WINDEYER to move,—
  - (1.) That the Petition of certain Inhabitants of Sydney, relative to the establishment of a Grammar School, referred, on the 6th of October, 1854, to the Committee then sitting on Education, be referred to the Committee appointed to inquire into the working of the Sydney Grammar School.
  - (2.) That the Progress Report of the 21st of November, 1854, of the Select Committee on Education, in reference especially to the establishment of a Grammar School in the City of Sydney, together with the evidence accompanying the same, be also referred to the same Committee.
20. Mr. GARRETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Mr. Surveyor Roland's Report of the road leading from the navigable waters of the Shoalhaven to Goulburn.

#### ORDERS OF THE DAY:—

1. Revenue and Audit Bill; second reading.
2. Tanners' and Curriers' Bill; second reading.
3. Wesley College Bill; second reading.
4. Freight and Charges Bill; second reading.
5. Law of Primogeniture Abolition Bill; second reading.
6. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
7. Funds for National and Denominational Education; consideration in Committee of Address for.

#### Questions:—

1. Mr. McARTHUR to ask THE SECRETARY FOR LANDS,—
  - (1.) If the Government are aware that large quantities of night soil are frequently deposited upon land adjacent to the Lower Randwick Road, which forms a portion of the water reserve?
  - (2.) If the Government are aware that during the recent heavy rains the drainage from these deposits flowed into the water at Botany, from which the City is supplied; and if so, whether any steps have been taken to prevent a recurrence of the evil?
2. Mr. HART to ask THE COLONIAL SECRETARY,—If the Government, since the 20th December last, when the Honorable the Chief Secretary gave an answer upon the same subject, have come to any determination respecting the appointment of a Clerk of Petty Sessions at Walcha, in compliance with a Petition from the Bench of Magistrates and other Inhabitants at that place?
3. Mr. WEEKES to ask THE COLONIAL SECRETARY,—With reference to a Return to the Address relative to Parliamentary Officers, recently laid upon the Table of this House,

House,—Whether any application or memorandum upon the subject of promotion upon the Legislative Staff, was at any time addressed to the Government by Mr. John Jackson Calvert; and, if so, why it does not form a part of the said Return?

4. MR. WEEKES to ask THE COLONIAL SECRETARY,—Whether any of the Justices of the Peace composing the Campbelltown Bench have resigned their offices; and if so, whether such resignations have been accepted?
5. MR. TERRY to ask THE SECRETARY FOR LANDS, in the absence of THE SECRETARY FOR PUBLIC WORKS,—What amount of money has been expended on the Mudgee Road, and on the roads leading to the various Gold Diggings in the Electorate of Mudgee, from the 1st January, 1859, to the present date?

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. WEDNESDAY, FEBRUARY 29.

*Contingent Notice of Motion :—*

1. MR. HODGSON to move (*upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read*),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. State Aid to Religion Abolition Bill; second reading.
2. Ways and Means; Resumption of the Committee.
3. Official Salaries Alteration Bill; second reading.
4. Supply; Resumption of the Committee.
5. Harbor, Pilotage, and Navigation Bill; second reading.

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FRIDAY, MARCH 2.

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move,—  
(1.) That a Select Committee be appointed to take into consideration the subject of the federation of the Australian Colonies, with a view to ascertain what are the specific objects which it would be desirable to attain through such federation, and whether in the existing circumstances of these Colonies federation is at all practicable.  
(2.) That such Committee consist of the following Members, viz.:—Mr. Arnold, Mr. Black, Mr. Campbell, Mr. Hay, Mr. Jones, Mr. Morris, Mr. Parkes, Mr. Robertson, Mr. Rotton, and the Mover.
2. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
3. MR. MCARTHUR to move for leave to introduce a Bill for the removal of the Toll-bar in Botany-street, Redfern, to a more suitable position.
4. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
5. MR. PRUNKETT to move for leave to bring in a Bill to enable the Municipal Council of Sydney to sell certain Debentures.

ORDERS OF THE DAY :—

1. Lien on Wool Act Continuation Bill; second reading.
2. Necropolis Act Extension Bill; to be further considered in Committee.

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TUESDAY, MARCH 6.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."

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FRIDAY, MARCH 9.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Public Ferries Law Amendment Bill; second reading.
2. Bank Statements and Abstracts Regulation Bill; second reading.

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TUESDAY,

TUESDAY, MARCH 13.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000. for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000. for the support of such Hospital.

ORDER OF THE DAY:—

1. Capital Punishments Abolition Bill; second reading.
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THURSDAY, MARCH 15.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Public Lands Bill; second reading.
2. Land Tax Bill; second reading.

T. A. MURRAY,  
*Speaker.*

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No. 68.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

TUESDAY, 23 FEBRUARY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
State Aid to Religion Abolition Bill :—Mr. Robertson presented a Petition, from certain Inhabitants of Murrumbidgee, praying that this Bill may be passed.  
Petition received.

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

(1.) Steam Postal Service :—

W. DENISON,

*Governor General.**Message No. 27.*

In reply to the Address presented this day, enclosing Copies of certain Resolutions adopted by the Legislative Assembly upon the subject of Steam Postal Communication *via* Panama, the Governor General, with every desire to comply with the wishes of the Assembly, is under the necessity of stating that he feels it will be difficult, if not impossible, to carry into execution the provisions of an enactment such as that contemplated by the Assembly; for he is unable to see how any Contract for the Conveyance of Mails to and from England and New South Wales can be entered into "without reference to the Imperial Government." Any Bill, however, which may be passed by both Houses of the Legislature for the purpose in question, shall receive the most careful consideration of the Executive Government.

*Government House,**Sydney, 23rd February, 1860.*

Ordered to be printed.

- (2.) Proposed Annexation of a Portion of New South Wales to South Australia :—

W. DENISON,

*Governor General.**Message No. 28.*

The Governor General lays before the Legislative Assembly a copy of a Despatch with which he has been honored by the Secretary of State, bringing under notice the delay which has taken place in communicating to the Imperial Government the opinion of the Legislature of New South Wales as to the proposed transfer of a small portion of Territory lying between South Australia and Western Australia to the former Colony.

It would appear from the Report of the Law Officers accompanying this Despatch that, by the 46th Clause of the Act of the Legislature of New South Wales, 17 Vict., Cap 41, full power was reserved to Her Majesty to detach from New South Wales the portion of Territory in question.

The Secretary of State, however, is naturally desirous of acting in the matter with the full concurrence of the Government and the Legislature of New South Wales; and the Governor General trusts that he may be enabled to report that no objection exists on the part of the Legislative Assembly to the proposal to place this Territory, which is now subject to no law, under the control of the Government of South Australia.

*Government House,**Sydney, 23rd February, 1860.*

Ordered to be printed, together with the accompanying Despatch.

3. Freight and Charges Bill :—Mr. Gordon presented a Petition from certain Merchants and Traders of the City of Sydney, against the passing of this Bill.  
Petition received.

4. State Aid to Religion :—Mr. Oxley presented a Petition from the Catholics of Berrima, against the withdrawal of State Aid to Religion.  
Petition received.

5. Mount Keira Tramroad Bill :—Mr. Garrett, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before, the Select Committee for whose consideration and Report this Bill was referred on the 13th October last, together with the Bill, as amended in the Committee.  
Ordered to be printed :—

Mr.

Mr. Garrett then moved, That the second reading of this Bill stand an Order of the Day for Friday next.

Question put and passed.

6. State Aid to Religion:—Mr. Byrnes presented a Petition from the Catholics of Parramatta, against the withdrawal of State Aid to Religion.  
Petition received.

7. Tanners' and Curriers' Bill:—Mr. Parkes presented the two undermentioned Petitions, praying that this Bill may be passed:—

(1.) From John E. Bagg, Tanner and Currier, and other persons residing adjacent to his Tannery, in the City of Sydney.

(2.) From William Pawley, Tanner and Currier, and other persons residing adjacent to his Tannery, situated on the Surry Hills, in the City of Sydney.

Petitions received.

8. Vacant Seat:—The Speaker having reported that he had this day received a letter (dated the 25th instant), from William Bede Dalley, Esquire, resigning his Seat for Windsor,—

Mr. Forster moved, That the Seat of William Bede Dalley, Esquire, as Member for the Electoral District of Windsor, hath become, and is now vacant, by reason of the resignation thereof by the said William Bede Dalley, Esquire.

Question put and passed.

9. Roads—Classification and proposed Expenditure, for 1860:—Mr. Cape moved, pursuant to notice, That an Address be presented to the Governor General; praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return or Classification of Roads in New South Wales, with the proposed expenditure for the year 1860, similar to the Return ordered by this Assembly to be printed, 21 December, 1858.

Debate ensued.

Question put and passed.

10. Mr. Hoskins moved, That this House do now adjourn.

Debate ensued.

Motion by leave withdrawn.

11. Postponement:—The Rev. Dr. Lang postponed the motion standing in his name; No. 2 on the Notice Paper for to-day, until Friday next.

12. Albury Municipality and Common:—Mr. Asher moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence—including Petitions, Memorials, &c.—between the Government and certain Residents of Albury; relative to the Incorporation of that Town; also, all Correspondence, Memorials, &c., between the Government, the Municipal Body there; and others, with reference to the Albury Town Common.

Question put and passed.

13. Member of Legislative Council as Witness:—Mr. Wilson moved, That the following Message be carried to the Legislative Council:—

MR. PRESIDENT;

The Legislative Assembly having appointed a Select Committee to inquire into the Petition of Mrs. Mary Jones, and that Committee being desirous to examine the Honorable Edward Deas Thomson, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.

Legislative Assembly Chamber;

Sydney, 28th February, 1860.

Speaker.

Question put and passed.

14. Compilation of Colonial Statutes:—Mr. Cape moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of all Correspondence which has passed between the Crown Law Officers and any other persons, relative to a new Compilation of the Colonial Statutes.

Debate ensued.

Question put and passed.

15. Motion dropped:—Mr. Hodgson not making the motion standing in his name; No. 5 on the Notice Paper for to-day; it dropped.

16. Postponement:—Mr. Morris postponed the motion standing in his name, No. 6 on the Notice Paper for to-day, until Friday week.

17. Great Southern Line of Railway:—Mr. Byrnes moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Returns:—  
(1.) Original cost of constructing the Great Southern Line of Railway between Sydney and Parramatta, and between Parramatta and Campbelltown, and the amount paid as premium to the original Proprietors of Line between Sydney and Parramatta.  
(2.) Annual expenses of repairing and keeping in order the Permanent Way.  
(3.) Annual expenses of repairing the Rolling Stock, particularizing the Engines.  
(4.) Expenses of running the Great Southern Trains; and gross receipts of same, under two distinct heads of Passenger and Goods Traffic.  
(5.) Number of Passengers per month between Sydney and Parramatta prior to late reduction of Fares, and same since that reduction took place.

Question put and passed.



18. Northern Line of Railway:—Mr. Byrnes moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Returns, viz.:—  
 (1.) Original cost of constructing the Northern Line of Railway, and premium paid to original Proprietors.  
 (2.) Annual expenses of repairing and keeping in order the Permanent Way.  
 (3.) Expenses of repairing the Rolling Stock, particularizing the Engines.  
 (4.) Expenses of running the Northern Trains, and gross receipts of same.  
 Question put and passed.
19. Extension of Electric Telegraph:—Mr. Hart moved, pursuant to notice, That the Petition from Armidale, relative to Telegraphic Communication, presented by him on the 22nd February, be printed.  
 Question put and passed.  
 Ordered to be printed.
20. Grievances:—Mr. Parkes moved, pursuant to notice, That the Progress Report from the Select Committee to whom was referred the Petition of Mr. John Malley, be transmitted by Address to His Excellency the Governor General, with a request that the Petitioner's claim to the reimbursement of £38 10s., as therein set forth, may be considered.  
 Debate ensued.  
 Question put and passed.
21. Camperdown Cemetery:—Mr. McArthur moved, pursuant to notice, That the Petition relative to the Camperdown Cemetery, presented by him on the 23rd February, be printed.  
 Question put and passed.  
 Ordered to be printed.
22. Moreton Bay Immigration and Land Company's Incorporation Act Amendment Bill:—  
 Dr. Lang moved, pursuant to notice, for leave to bring in a Bill to amend the Moreton Bay Immigration and Land Company's Act of 1855 (*being in substitution for the Bill discharged from the Paper on the 17th instant.*)  
 Question put and passed;—Ordered, that the Mover and Seconder prepare and bring in the Bill.
23. State Aid to Religion Abolition Bill:—Mr. Parkes presented a Petition from certain Inhabitants of Goulburn and its Suburbs, in favor of the passing of this Bill.  
 Petition received.
24. Moreton Bay Immigration and Land Company's Incorporation Act Amendment Bill:—  
 Dr. Lang having presented this Bill, Bill, intituled "*A Bill to amend an Act to establish and incorporate a Company to be called 'The Moreton Bay Immigration and Land Company,'*" read a first time.
25. State Aid to Religion:—Mr. Roberts moved, pursuant to notice, That the Petition against the withdrawal of State Aid to Religion, presented by him on the 24th February, be printed.  
 Question put and passed.  
 Ordered to be printed.
26. Camperdown Cemetery:—Mr. Lucas moved, pursuant to notice, That the Petition relative to the Camperdown Cemetery, presented by him on the 24th February, be printed.  
 Question put and passed.  
 Ordered to be printed.
27. Church of England Schools, Parish of St. Lawrence, Sydney:—Mr. Faucett moved, pursuant to notice, That the Petition from certain Members of the United Church of England and Ireland, relative to Denominational Schools, presented by him on the 24th February, be printed.  
 Question put and passed.  
 Ordered to be printed.
28. Bryan Fitzgerald:—Mr. Parkes moved, pursuant to notice, That the Petition of Bryan Fitzgerald, presented by him on the 24th February, be printed.  
 Question put and passed.  
 Ordered to be printed.
29. Postponement:—Mr. Parkes postponed the motion standing in his name, No. 17 on the Notice Paper for to-day, until Friday next.
30. Funds for Court House and Gaol at Mudgee:—Mr. Terry moved, pursuant to notice, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the current year, a sum of money not exceeding £7,000 for a Court House and Gaol at Mudgee.  
 Debate ensued.  
 Motion by leave withdrawn.
31. Sydney Grammar School:—Mr. Windeyer moved, pursuant to notice:—  
 (1.) That the Petition of certain Inhabitants of Sydney, relative to the establishment of a Grammar School, referred, on the 6th of October, 1854, to the Committee then sitting on Education, be referred to the Committee appointed to inquire into the working of the Sydney Grammar School.  
 (2.) That the Progress Report of the 21st of November, 1854, of the Select Committee on Education, in reference especially to the establishment of a Grammar School in the City of Sydney, together with the evidence accompanying the same, be also referred to the same Committee.  
 Question put and passed.

32. Surveyor's Report of Road from Shoalhaven to Goulburn :—Mr. Garrett moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Mr. Surveyor Roland's Report of the road leading from the navigable waters of the Shoalhaven to Goulburn.  
Debate ensued.  
Question put and passed.
33. Revenue and Audit Bill :—The Order of the Day for the second reading of this Bill discharged from the Paper, on motion of Mr. Morris.  
Whereupon Mr. Morris moved, That this Bill be withdrawn.  
Question put and passed.
34. Tanners' and Carriers' Bill :—Mr. Parkes moved, That this Bill "be" now read a second time.  
Debate ensued.  
Mr. Byrnes moved, That the Question be amended, by the omission of all the words following the word "be," with a view to the insertion in their place of the words, "referred to a Select Committee, consisting of Mr. Atkinson, Mr. Broughton, Mr. Byrnes, Sir Daniel Cooper, Mr. Dickson, Mr. Jenkins, Mr. Lucas, Mr. Nott, Mr. Parkes, and Mr. Pemell."  
Debate continued.

And the House continuing to sit till after Midnight,—

WEDNESDAY, 29 FEBRUARY, 1860, A.M.

- 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 the place of the words omitted, be so inserted—put and passed.  
Whereupon Question,—That this Bill be referred to a Select Committee, consisting of Mr. Atkinson, Mr. Broughton, Mr. Byrnes, Sir Daniel Cooper, Mr. Dickson, Mr. Jenkins, Mr. Lucas, Mr. Nott, Mr. Parkes, and Mr. Pemell—put and passed.
35. Wesley College Bill, on motion of Mr. Byrnes, read a second time.  
Mr. Byrnes then moved, That the consideration in Committee of this Bill stand an Order of the Day for Friday next.  
Question put and passed.
36. Postponements :—  
(1.) The second reading of the Freight and Charges Bill postponed, on motion of Mr. Forster, until Friday next.  
(2.) The second reading of the Law of Primogeniture Abolition Bill postponed, on motion of Mr. Arnold, until Friday next.
37. Funds for Experimental Quartz Crushing Machine :—On the Order of the Day being read, for the consideration in Committee of Address for, Mr. Wilson moved, That the Speaker do now leave Chair, and the House resolve itself into a Committee of the whole accordingly.  
Mr. Samuel moved, That this House do now adjourn.  
Debate ensued.  
Motion for adjournment by leave withdrawn.  
Original motion by leave withdrawn.  
Mr. Wilson then moved, That the consideration in Committee of the said Address stand an Order of the Day for Tuesday next.  
Question put and passed.
38. Postponement :—The consideration in Committee of Address for Funds for National and Denominational Education postponed, on motion of Mr. Jenkins, until Tuesday next.  
The House adjourned, at twenty-four minutes before One o'clock A.M., until Three o'clock P.M. this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, FEBRUARY 29.

Contingent Notices of Motion :—

1. MR. HOBSON to move (upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.
2. MR. PARKES to move, in Committee of Supply, (on the Railway Estimates being taken into consideration),—That Alexander Rhodes, Esq., Railway Contractor, Charles Fowler, Esq., Engineer under Messrs. Peto Brassey and Betts, Captain B. H. Martindale Commissioner of Internal Communication, and John Whitton, Esq. Engineer-in-Chief of the Railway Department,—be examined at the Bar, on the construction and character of the Railway Works now in progress.

3. MR. SAMUEL to move (*In Committee of Supply*),—That there be appropriated a sum not exceeding £78,000 to defray the expenses of the various Departments and Services of the Colony for the month of March, 1860, at the rates sanctioned for the past year; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Works and Buildings during the same month.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. State Aid to Religion Abolition Bill; second reading.
2. Ways and Means; Resumption of the Committee.
3. Official Salaries Alteration Bill; second reading.
4. Supply; Resumption of the Committee.
5. Harbor, Pilotage, and Navigation Bill; second reading.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PARKES to move, That the Petition of Mr. Begg, and certain other Inhabitants of Phillip-street; and the Petition from Mr. Pawley, and certain Inhabitants of Bourke-street, relative to the Tanners' and Curriers' Bill, presented by him on the 28th February, be printed.
2. MR. GORDON to move, That the Petition presented by him on the 28th February, from Merchants and Importers of Sydney, against the Freight and Charges Bill, be printed.
3. MR. OXLEY to move, That the Petition, against the withdrawal of State Aid to Religion, presented by him from the Roman Catholics of Berrima, on the 28th February, be printed.
4. MR. PARKES to move, That the Petition from Goulburn, relative to State Aid to Religion, presented by him on the 28th February, be printed.
5. MR. BYRNES to move, That the Petition presented by him on the 28th February, from the Roman Catholics of Parramatta, against the abolition of State Aid to Religion, be printed.

Questions:—

1. MR. HAY to ask THE COLONIAL TREASURER,—Whether the Government intend to reconsider the determination to uphold the decision of the Customs Authorities in the matter of the Seizure of Opium on board the "Kate Hooper"?
2. MR. HONGSON to ask THE COLONIAL TREASURER,—
  - (1.) Whether the extension of the new Wharf at Newcastle has been contracted for?
  - (2.) When it is probable that such extension will be finished?
  - (3.) Whether the Steam Crane which is to form part of the work has been ordered from England; and if not, why not?
3. MR. WEEKES to ask THE COLONIAL SECRETARY,—With reference to the Resolution of this House, that an Address be presented to the Governor General, praying that His Excellency would cause to be laid upon the Table of this House, "*all applications, memoranda, or other documents upon the subject of promotion, addressed by any Officers or Clerks of the Legislative Council or Assembly to the Government, or any Member of it*," since the resignation of Mr. Macpherson—whether a memorandum on the subject of promotion upon the Legislative Staff, communicated to the Colonial Secretary by Mr. J. J. Calvert, was forwarded to him while the arrangements for such promotion were under the consideration of the Government, and whether the Colonial Secretary still declines to lay on the Table of this House, in compliance with such Resolution, a communication from an Officer of the Parliament on the subject referred to?
4. MR. ASHER to ask THE COLONIAL SECRETARY,—Do the Government intend to make any inquiry as to the fitness of John Roper, of Albury, remaining upon the Commission of the Peace?
5. MR. WILSON to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to bring in a Bill for the repeal of the Gold Duty immediately, with the view of preventing the Gold from the Snowy River being diverted to Victoria?
6. MR. WILD to ask THE SECRETARY FOR LANDS,—
  - (1.) Whether it is within the knowledge of the Government that a certain sum of money—yet unexpended—has been voted by this House in a previous Session for the erection of a Bridge over the Bargo River?
  - (2.) Whether it is in contemplation to carry out this work in any reasonable time?

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THURSDAY, MARCH 1.

Questions:—

1. MR. PENELL to ask THE COLONIAL SECRETARY,—Whether the Government have decided upon minorities ruling majorities—if not, why a Municipality was granted to Balmain, when the petition against it exceeded that in favor of it by (43) forty-three signatures (*pro*, 373—*con*, 416)?
2. MR. ASHER to ask THE SECRETARY FOR LANDS,—Whether any Tenders have been received by the Surveyor General for the following Runs—Tenders for which were called for on the 28th January last—and if any Tenders were received, why were they not gazetted in the usual way:—Panbula, Maneroo District; Urabadala and Bunbalong, Murrumbidgee District?

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FRIDAY,

FRIDAY, MARCH 2.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move,—
  - (1.) That a Select Committee be appointed to take into consideration the subject of the federation of the Australian Colonies, with a view to ascertain what are the specific objects which it would be desirable to attain through such federation, and whether in the existing circumstances of these Colonies federation is at all practicable.
  - (2.) That such Committee consist of the following Members, viz.:—Mr. Arnold, Mr. Black, Mr. Campbell, Mr. Hay, Mr. Jones, Mr. Morris, Mr. Parkes, Mr. Robertson, Mr. Rotton, and the Mover.
2. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
3. MR. MCARTHUR to move for leave to introduce a Bill for the removal of the Toll-bar in Botany-street, Redfern, to a more suitable position.
4. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
5. MR. PLUNKETT to move for leave to bring in a Bill to enable the Municipal Council of Sydney to sell certain Debentures.
6. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia, towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
7. DR. LANG to move,—
  - (1.) That a Select Committee be appointed to take into consideration and to report upon the Bill for the amendment of the Moreton Bay Immigration and Land Company's Act.
  - (2.) That such Committee consist of the following Members, viz.:—Mr. Black, Mr. Robertson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, Mr. Morris, and the Mover.
8. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
9. MR. WINDYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Nominal Return, with date, of all applications for orders in Bastardy, at the Central and Water Police Offices, in the City of Sydney; a Nominal Return, with date, of the cases in which orders were made, together with the weekly amounts ordered to be paid in each case, since the 1st of January, 1850.

## ORDERS OF THE DAY :—

1. Lien on Wool Act Continuation Bill; second reading.
2. Necropolis Act Extension Bill; to be further considered in Committee.
3. Mount Keira Tramroad Bill; second reading.
4. Wesley College Bill; to be considered in Committee.
5. Freight and Charges Bill; second reading.
6. Law of Primogeniture Abolition Bill; second reading.

## Question :—

1. MR. GARRETT to ask THE COLONIAL SECRETARY,—When the *Government Gazette Index* for 1859 will be printed?

TUESDAY, MARCH 6.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HAY to move,—
  - (1.) That a Select Committee be appointed to take into consideration the various petitions presented to this House, relative to the Seizure of certain Opium on board the ship "Kate Hooper," and to inquire into and report upon the matter thereof, with power to send for persons and papers.
  - (2.) That such Committee consist of the following Members, viz.:—Mr. Parkes, Mr. Broughton, Mr. Gordon, Mr. Weekes, Mr. Morris, Mr. Wilson, Mr. Jenkins, Mr. Robertson, and the Mover.

2. MR. PARKES to move, That the Message of His Excellency the Governor General in answer to the Address of this House, on the subject of Steam Communication between Sydney and Panama, be now taken into consideration.
3. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of the Information, or other Document, upon which Mr. Arthur Hannibal Macarthur, a Magistrate, residing at Stonehenge, in the District of New England, directed the seizure of certain property in the possession of Mr. Frederick Dunbar, as set forth in the Petition of that gentleman, presented to this House on the 25th ultimo.

ORDERS OF THE DAY :—

1. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."
2. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
3. Funds for National and Denominational Education; consideration in Committee of Address for.

FRIDAY, MARCH 9.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.
2. MR. MORRIS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All Correspondence between Captain Douglas, the Gold Commissioner at the Hanging Rock Diggings, and the Attorney General, relative to the proceedings in the case of Bunch, Sergeant of the Gold Police, *versus* McIlveen and others, charged with the commission of a common nuisance at Nundle.
  - (2.) A Copy of the Depositions taken in the said case at the Police Office at Nundle.

ORDERS OF THE DAY :—

1. Public Ferries Law Amendment Bill; second reading.
2. Bank Statements and Abstracts Regulation Bill; second reading.

TUESDAY, MARCH 13.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.
2. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A copy of all Correspondence between the Government of Queensland and New South Wales, which has been laid before the Executive Council of New South Wales—together with any Minutes of the Executive Council, relative to the payment to the Queensland Government of all balances due on the Assessments, Rents, &c., &c., paid in advance, for one year, in September, 1859, by the Squatters of the Colony of Queensland.
  - (2.) Copies of all Correspondence between the Government of New South Wales and Queensland, relative to the Government of New South Wales continuing to receive Public Moneys, the property of the Colony of Queensland, since the date of the Separation of the latter Colony.

ORDER OF THE DAY :—

1. Capital Punishments Abolition Bill; second reading.

THURSDAY, MARCH 15.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Public Lands Bill; second reading.
2. Land Tax Bill; second reading.

T. A. MURRAY,  
Speaker.



No. 69.

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

WEDNESDAY, 29 FEBRUARY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
St. Andrew's College Bill :—Mr. Hay, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on the 14th October last.  
*Ordered to be printed.*
2. State Aid to Religion :—
  1. The undermentioned Petitions, against the withdrawal of State Aid to Religion, were presented :—
    - (1.) By Mr. Campbell, from certain Clergymen of the United Church of England and Ireland, in the Diocese of Sydney.
    - (2.) By Mr. Russell, from certain Members of the Church of England, and others, resident in the United Parishes of Falbrook and Jerry's Plains.
    - (3.) By Mr. Russell, from certain Members of the Church of England and others, resident in the Parish of Falbrook.
  2. The undermentioned Petitions, in favor of the withdrawal of State Aid to Religion, were presented :—
    - (4.) By Mr. Wisdom, from certain Unitarian Christians of Sydney.
    - (5.) By Dr. Lang, from certain Presbyterians of the Congregation of the Scots' Church, in the City of Sydney.
    - (6.) By Mr. Weekes, from certain Inhabitants of West Maitland.
    - (7.) By Mr. Pemell, from certain Inhabitants of Camden.
3. Seizure of Opium per "Kate Hooper" :—Mr. Hay presented a Petition from Lei Afoo, of Sun Wooi, near Canton, in China, at present in Sydney, a passenger on board the "Oithona," from Hong Kong to Melbourne, Merchant, complaining of loss sustained by him in consequence of the recent Seizure of Opium on board the "Kate Hooper;" and praying redress.  
*Petition received.*
4. Ministerial Explanation :—Mr. Forster having addressed the House in explanation of the course intended to be taken by the Administration in consequence of the Vote come to by the House on Friday last,—  
Mr. Gray moved,—
  - (1.) That in the opinion of this House, the further continuance in Office of the present Advisers of Her Majesty would only tend to obstruct the Public Business of the Colony.
  - (2.) That the foregoing Resolution be respectfully communicated to His Excellency the Governor General.
5. Member Sworn :—Alexander Campbell, Esquire, having taken the Oath, and subscribed the Roll, took his Seat as the Member for the Electoral District of The Williams.
6. Ministerial Explanation :—*Debate ensued on Mr. Gray's motion, the consideration of which had been interrupted by the swearing of Mr. Campbell.*  
*Question put.*  
*The House divided.*

Ayes, 33.

Mr. Robertson,	Mr. Ryan,	
Mr. Wisdom,	Sir D. Cooper,	
Mr. Parkes,	Mr. Cummings,	
Mr. Scott,	Mr. Jamison,	
Mr. Hart,	Mr. Laycock,	
Mr. Hoskins,	Mr. Atkinson,	
Mr. Arnold,	Mr. Gray,	
Mr. Jones,	Mr. Asher,	
Mr. Weekes,	Mr. Terry,	
Mr. McArthur,	Mr. Onkes,	
Mr. Lucas,	Mr. Garrett,	
Mr. Byrnes,	Mr. Irving,	
Mr. Martin,	Mr. Pemell,	
Mr. Egan,	Rev. Dr. Lang,	
Mr. A. Campbell,	Mr. Dickson,	} Tellers.
Mr. Gordon,	Mr. Windeyer,	
Mr. J. Campbell,		

Noes, 25.

Mr. Black,	Mr. Russell,	
Mr. Samuel,	Mr. Faucett,	
Mr. Forster,	Mr. Plunkett,	
Mr. Hodgson,	Mr. Cape,	
Mr. Piddington,	Mr. Hay,	
Mr. Wild,	Mr. Macleay,	
Mr. Hamilton,	Mr. Clements,	} Tellers.
Mr. Jenkins,	Mr. Oxley,	
Mr. Morris,		
Mr. Watt,		
Mr. Hawkins,		
Mr. Hurley,		
Mr. Lord,		
Mr. Laidlaw,		
Mr. Loder,		
Mr. Broughton,		
Mr. Lyons,		

Whereupon, on the motion of Mr. Forster, the House adjourned, at half-past Seven o'clock, until to-morrow, at Three o'clock.

NOTICES

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, MARCH 1.

*Contingent Notices of Motion :—*

1. MR. HODGSON to move (*upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read*),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.
2. MR. PARKES to move, in Committee of Supply, (*on the Railway Estimates being taken into consideration*),—That Alexander Rhodes, Esq., Railway Contractor, Charles Fowler, Esq., Engineer under Messrs. Peto Brassey and Betts, Captain B. H. Martindale Commissioner of Internal Communication, and John Whitton, Esq. Engineer-in-Chief of the Railway Department,—be examined at the Bar, on the construction and character of the Railway Works now in progress.
3. MR. SAMUEL to move (*In Committee of Supply*),—That there be appropriated a sum not exceeding £78,000 to defray the expenses of the various Departments and Services of the Colony for the month of March, 1860, at the rates sanctioned for the past year; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Works and Buildings during the same month.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. State Aid to Religion Abolition Bill; second reading.
2. Ways and Means; Resumption of the Committee.
3. Official Salaries Alteration Bill; second reading.
4. Supply; Resumption of the Committee.
5. Harbor, Pilotage, and Navigation Bill; second reading.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. RUSSELL to move, That the Petition from Jerry's Plains, and also that from Falbrook, relative to the State Aid to Religion Abolition Bill, presented by him on the 29th February, be printed.
2. MR. PARKES to move, That the Petition from Mr. Begg, and certain other Inhabitants of Phillip-street; and the Petition from Mr. Pawley, and certain Inhabitants of Bourke-street, relative to the Tanners' and Curriers' Bill, presented by him on the 28th February, be printed.
3. MR. GORDON to move, That the Petition presented by him on the 28th February, from Merchants and Importers of Sydney, against the Freight and Charges Bill, be printed.
4. MR. OXLEY to move, That the Petition, against the withdrawal of State Aid to Religion, presented by him from the Roman Catholics of Berrima, on the 28th February, be printed.
5. MR. PARKES to move, That the Petition from Goulburn, relative to State Aid to Religion, presented by him on the 28th February, be printed.
6. MR. BYRNES to move, That the Petition presented by him on the 28th February, from the Roman Catholics of Parramatta, against the abolition of State Aid to Religion, be printed.

*Questions :—*

1. MR. FENELL to ask THE COLONIAL SECRETARY,—Whether the Government have decided upon minorities ruling majorities—if not, why a Municipality was granted to Balmain, when the petition against it exceeded that in favor of it by (43). forty-three signatures (*pro*, 373—*con*, 416)?
2. MR. ASHER to ask THE SECRETARY FOR LANDS,—Whether any Tenders have been received by the Surveyor General for the following Runs—Tenders for which were called for on the 23rd January last—and if any Tenders were received, why were they not gazetted in the usual way :—Panbula, Maneroo District; Urabadala and Bunbalong, Murrumbidgee District?
3. MR. HODGSON to ask THE COLONIAL SECRETARY,—When it is probable that this House will receive a reply to the Address to His Excellency the Governor General, adopted by this House, on 10th February, on the subject of the suppressed Despatches relative to the Assessment on Runs Act?

FRIDAY, MARCH 2.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move,—  
(1.) That a Select Committee be appointed to take into consideration the subject of the federation of the Australian Colonies, with a view to ascertain what are the specific objects which it would be desirable to attain through such federation, and whether in the existing circumstances of these Colonies federation is at all practicable.  
(2.) That such Committee consist of the following Members, viz :—Mr. Arnold, Mr. Black, Mr. Campbell, Mr. Hay, Mr. Jones, Mr. Morris, Mr. Parkes, Mr. Robertson, Mr. Rotton, and the Mover.



2. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
3. MR. MCARTHUR to move for leave to introduce a Bill for the removal of the Toll-bar in Botany-street, Redfern, to a more suitable position.
4. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
5. MR. PLUNKETT to move for leave to bring in a Bill to enable the Municipal Council of Sydney to sell certain Debentures.
6. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia, towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
7. DR. LANG to move,—
  - (1.) That a Select Committee be appointed to take into consideration and to report upon the Bill for the amendment of the Noreton Bay Immigration and Land Company's Act.
  - (2.) That such Committee consist of the following Members, viz.:—Mr. Black, Mr. Robertson, Mr. Irving, Mr. Plett, Mr. Rotton, Mr. Laycock, Mr. Morris, and the Mover.
8. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
9. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Nominal Return, with date, of all applications for orders in Bastardy, at the Central and Water Police Offices, in the City of Sydney; a Nominal Return, with date, of the cases in which orders were made, together with the weekly amounts ordered to be paid in each case, since the 1st of January, 1856.
10. MR. J. CAMPBELL to move, That the Petition of certain Clergymen of the Church of England, relative to the State Aid to Religion Abolition Bill, presented by him on the 29th February, be printed.
11. MR. ROBERTSON to move, That the Petition from Murrurundi, relative to the State Aid to Religion Abolition Bill, presented by him on the 28th February, be printed.
12. MR. HAY to move, That the Petition relative to the Seizure of Opium per "Kate Hooper," presented by him on the 29th February, be printed.
13. DR. LANG to move, That the Petition presented by him on the 29th February, from certain Presbyterians of the Congregation of the Scots' Church, Sydney, be printed.
14. MR. WEEKES to move, That the Petition from Inhabitants of West Maitland, praying for the abolition of State Aid, presented by him on the 29th February, be printed.
15. MR. LAYCOCK to move, That the retention or removal, from the City, of Slaughter Houses, Tallow Melting Establishments, Soap and Candle Manufactories, Tripe Boiling Places, and other places of a like nature, be referred to the Committee appointed to consider the proposed Tanners' and Curriers' Bill.
16. MR. PEMELL to move, That the Petition from Camden, relative to the State Aid to Religion Abolition Bill, presented by him on the 29th February, be printed.
17. DR. LANG to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of any Correspondence that may have taken place during the present year, between Mr. Percy Simpson, of Parramatta, and the Honorable the Colonial Secretary, on the subject of certain claims which that gentleman conceives he has upon the Government of this Colony, for services rendered to the Government in former years.

ORDERS OF THE DAY:—

1. Lien on Wool Act Continuation Bill; second reading.
2. Necropolis Act Extension Bill; to be further considered in Committee.
3. Mount Keira Tramroad Bill; second reading.
4. Wesley College Bill; to be considered in Committee.
5. Freight and Charges Bill; second reading.
6. Law of Primogeniture Abolition Bill; second reading.

Question:—

1. MR. GARRETT to ask THE COLONIAL SECRETARY,—When the *Government Gazette Index* for 1859 will be printed?

TUESDAY, MARCH 6.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HAY to move,—  
 (1.) That: a Select Committee be appointed to take into consideration the various petitions presented to this House, relative to the Seizure of certain Opium on board the ship "Kate Hooper," and to inquire into and report upon the matter thereof, with power to send for persons and papers.  
 (2.) That such Committee consist of the following Members, viz:—Mr. Parkes, Mr. Broughton, Mr. Gordon, Mr. Weekes, Mr. Morris, Mr. Wilson, Mr. Jenkins, Mr. Robertson, and the Mover.
2. MR. PARKES to move, That the Message of His Excellency the Governor General in answer to the Address of this House, on the subject of Steam Communication between Sydney and Panama, be now taken into consideration.
3. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of the Information, or other Document, upon which Mr. Arthur Hannibal Macarthur, a Magistrate, residing at Stonehenge, in the District of New England, directed the seizure of certain property in the possession of Mr. Frederick Dunbar, as set forth in the Petition of that gentleman, presented to this House on the 25th ultimo.

ORDERS OF THE DAY :—

1. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."
2. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
3. Funds for National and Denominational Education; consideration in Committee of Address for.

Questions :—

1. MR. ASHER to ask THE SECRETARY FOR LANDS,—Has the Government or the Surveyor General received any Memorial from the Murray Valley Vineyard Association, requesting that they may be allowed to purchase a Section of Land for the purpose of Vine Growing, or to survey and put up for Sale a Section of Land pointed out by the said Company;—if such Memorial has been received, what do the Government intend to do in the matter?
2. MR. ASHER to ask THE SECRETARY FOR LANDS,—Has any Memorial been received by the Government or the Surveyor General, from James M'Lauren, Esquire, praying that certain lands between Albury and Howlong, and between Albury and Mullengandra, may be laid out into Farms, and be put up for sale; and if such Memorial has been received, do the Government intend to comply with its prayer?

FRIDAY, MARCH 9.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.
2. MR. MORRIS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—  
 (1.) All Correspondence between Captain Douglas, the Gold Commissioner at the Hanging Rock Diggings, and the Attorney General, relative to the proceedings in the case of Bunch, Sergeant of the Gold Police, versus M'Ilveen and others, charged with the commission of a common nuisance at Nundle.  
 (2.) A Copy of the Depositions taken in the said case at the Police Office at Nundle.

ORDERS OF THE DAY :—

1. Public Ferries Law Amendment Bill; second reading.
2. Bank Statements and Abstracts Regulation Bill; second reading.

TUESDAY, MARCH 13.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.
2. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—  
 (1.) A copy of all Correspondence between the Government of Queensland and New South Wales, which has been laid before the Executive Council of New South Wales—together with any Minutes of the Executive Council, relative to the payment to the Queensland

Queensland Government of all balances due on the Assessments, Rents, &c., &c., paid in advance, for one year, in September, 1859, by the Squatters of the Colony of Queensland.

(2.) Copies of all Correspondence between the Government of New South Wales and Queensland, relative to the Government of New South Wales continuing to receive Public Moneys, the property of the Colony of Queensland, since the date of the Separation of the latter Colony.

ORDER OF THE DAY:—

1. Capital Punishments Abolition Bill; second reading.

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THURSDAY, MARCH 15.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. WISDOM to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, a sum of money not exceeding £500, for the purpose of erecting a Monument to the memory of the late Dr. Leichhardt.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Public Lands Bill; second reading.
2. Land Tax Bill; second reading.

T. A. MURRAY,  
*Speaker.*

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No. 70.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

THURSDAY, 1 MARCH, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Impounding Act:—Mr. Robertson presented a Petition from certain Inhabitants of Armidale and Residents of New England, complaining of some of the provisions of the Impounding Act, offering suggestions on the subject, and praying that the House will take the matter into consideration.  
Petition received.
2. Fitz Roy Dry Dock:—The Revd. Dr. Lang presented a Petition from certain Merchants, Owners, Agents, Masters of Vessels, Shipwrights, and others, interested in the Trade of the Port of Sydney, referring to a Petition presented to this House for the exclusion of the Public from the use of the Government Dock, and praying that the said Dock may still be left open to the Public.  
Petition received.
3. Attendance of Member of Legislative Council as Witness:—The Speaker reported that, during the debate on the last Question before the House yesterday, the following Message had been received from the Legislative Council:—  
MR. SPEAKER,  
In answer to the Message from the Legislative Assembly, dated the 28th instant, requesting leave for the Honorable Edward Deas Thomson, C.B., a Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly on the Case of Mrs. Mary Jones, the Council acquaints the Assembly that leave has been granted to its said Member to attend and be examined by the said Committee, if he think fit.  
Legislative Council Chamber,  
Sydney, 29th February, 1860.  
W. W. BURTON,  
President.
4. State Aid to Religion Abolition Bill:—The Revd. Dr. Lang presented a Petition from a large number of Inhabitants of Sydney, and its suburbs, in favor of the passing of this Bill.  
Petition received.
5. Adjournment:—Mr. Forster informed the House that, in consequence of the Vote arrived at last evening, the Ministry had, this day, tendered the resignation of their Offices to the Governor General; and that they now held office only until their successors should be appointed.  
Mr. Forster then moved, That this House do now adjourn until Tuesday next, at Three o'clock.  
Question put and passed.  
Whereupon the House adjourned, at twenty-five minutes before Four o'clock, until Tuesday next, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY:

TUESDAY, MARCH 6.

## Contingent Notices of Motion:—

1. MR. HODGSON to move (upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

2.

2. **MR. PARKES** to move, in Committee of Supply, (*on the Railway Estimates being taken into consideration*),—That Alexander Rhodes, Esq., Railway Contractor, Charles Fowler, Esq., Engineer under Messrs. Peto Brassey and Betts, Captain B. H. Martindale Commissioner of Internal Communication, and John Whitton, Esq. Engineer-in-Chief of the Railway Department,—be examined at the Bar, on the construction and character of the Railway Works now in progress.
3. **MR. SAMUEL** to move (*In Committee of Supply*),—That there be appropriated a sum not exceeding £78,000 to defray the expenses of the various Departments and Services of the Colony for the month of March, 1860, at the rates sanctioned for the past year; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Works and Buildings during the same month.

OTHER BUSINESS—NOTICES OF MOTION :—

1. **MR. HAY** to move,—
  - (1.) That a Select Committee be appointed to take into consideration the various petitions presented to this House, relative to the Seizure of certain Opium on board the ship "Kate Hooper," and to inquire into and report upon the matter thereof, with power to send for persons and papers.
  - (2.) That such Committee consist of the following Members, viz.:—Mr. Parkes, Mr. Broughton, Mr. Gordon, Mr. Weekes, Mr. Morris, Mr. Wilson, Mr. Jenkins, Mr. Robertson, and the Mover.
2. **MR. PARKES** to move, That the Message of His Excellency the Governor General in answer to the Address of this House, on the subject of Steam Communication between Sydney and Panama, be now taken into consideration.
3. **MR. PARKES** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of the Information, or other Document, upon which Mr. Arthur Hannibal Macarthur, a Magistrate, residing at Stonebenge, in the District of New England, directed the seizure of certain property in the possession of Mr. Frederick Dunbar, as set forth in the Petition of that gentleman, presented to this House on the 25th ultimo.
4. **MR. RUSSELL** to move, That the Petition from Jerry's Plains, and also that from Falbrook, relative to the State Aid to Religion Abolition Bill, presented by him on the 29th February, be printed.
5. **MR. PARKES** to move, That the Petition from Mr. Begg, and certain other Inhabitants of Phillip-street; and the Petition from Mr. Pawley, and certain Inhabitants of Bourke-street, relative to the Tanners' and Curriers' Bill, presented by him on the 28th February, be printed.
6. **MR. GORDON** to move, That the Petition presented by him on the 28th February, from Merchants and Importers of Sydney, against the Freight and Charges Bill, be printed.
7. **MR. OXLEY** to move, That the Petition, against the withdrawal of State Aid to Religion, presented by him from the Roman Catholics of Berrima, on the 28th February, be printed.
8. **MR. PARKES** to move, That the Petition from Goulburn, relative to State Aid to Religion, presented by him on the 28th February, be printed.
9. **MR. BYRNES** to move, That the Petition presented by him on the 28th February, from the Roman Catholics of Parramatta, against the abolition of State Aid to Religion, be printed.
10. **DR. LANG** to move,—
  - (1.) That a Select Committee be appointed to take into consideration the subject of the federation of the Australian Colonies, with a view to ascertain what are the specific objects which it would be desirable to attain through such federation, and whether in the existing circumstances of these Colonies federation is at all practicable.
  - (2.) That such Committee consist of the following Members, viz.:—Mr. Arnold, Mr. Black, Mr. Campbell, Mr. Hay, Mr. Jones, Mr. Morris, Mr. Parkes, Mr. Robertson, Mr. Rotton, and the Mover.
11. **MR. BYRNES** to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
12. **MR. MCARTHUR** to move for leave to introduce a Bill for the removal of the Toll-bar in Botany-street, Redfern, to a more suitable position.
13. **MR. ROBERTSON** to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
14. **MR. PLUNKETT** to move for leave to bring in a Bill to enable the Municipal Council of Sydney to sell certain Debentures.
15. **DR. LANG** to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia, towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
16. **DR. LANG** to move,—
  - (1.) That a Select Committee be appointed to take into consideration and to report upon the Bill for the amendment of the Moreton Bay Immigration and Land Company's Act.
  - (2.) That such Committee consist of the following Members, viz.:—Mr. Black, Mr. Robertson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, Mr. Morris, and the

17. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
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20. MR. ROBERTSON to move, That the Petition from Murrurundi, relative to the State Aid to Religion Abolition Bill, presented by him on the 28th February, be printed.
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22. DR. LANG to move, That the Petition presented by him on the 29th February, from certain Presbyterians of the Congregation of the Scots' Church, Sydney, be printed.
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24. MR. LAYCOCK to move, That the retention or removal, from the City, of Slaughter Houses, Tallow Melting Establishments, Soap and Candle Manufactories, Tripe Boiling Places, and other places of a like nature, be referred to the Committee appointed to consider the proposed Tanners' and Curriers' Bill.
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#### ORDERS OF THE DAY:—

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2. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
3. Funds for National and Denominational Education; consideration in Committee of Address for.
4. Lien on Wool Act Continuation Bill; second reading.
5. Necropolis Act Extension Bill; to be further considered in Committee.
6. Mount Keira Tramroad Bill; second reading.
7. Wesley College Bill; to be considered in Committee.
8. Freight and Charges Bill; second reading.
9. Law of Primogeniture Abolition Bill; second reading.

#### GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

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2. Ways and Means; Resumption of the Committee.
3. Official Salaries Alteration Bill; second reading.
4. Supply; Resumption of the Committee.
5. Harbor, Pilotage, and Navigation Bill; second reading.

#### Questions:—

1. MR. ASHER to ask THE SECRETARY FOR LANDS,—Has the Government or the Surveyor General received any Memorial from the Murray Valley Vineyard Association, requesting that they may be allowed to purchase a Section of Land for the purpose of Vine Growing, or to survey and put up for Sale a Section of Land pointed out by the said Company;—if such Memorial has been received, what do the Government intend to do in the matter?
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5. MR. HODGSON to ask THE COLONIAL SECRETARY,—When it is probable that this House will receive a reply to the Address to His Excellency the Governor General, adopted by this House, on 10th February, on the subject of the suppressed Despatches relative to the Assessment on Runs Act?
6. MR. GARRETT to ask THE COLONIAL SECRETARY,—When the *Government Gazette Index* for 1859 will be printed?

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FRIDAY, MARCH 9.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.
2. MR. MORRIS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All Correspondence between Captain Douglas, the Gold Commissioner at the Hanging Rock Diggings, and the Attorney General, relative to the proceedings in the case of Bunch, Sergeant of the Gold Police, *versus* M'Ilveen and others, charged with the commission of a common nuisance at Nundle.
  - (2.) A Copy of the Depositions taken in the said case at the Police Office at Nundle.

ORDERS OF THE DAY :—

1. Public Ferries Law Amendment Bill; second reading.
2. Bank Statements and Abstracts Regulation Bill; second reading.

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TUESDAY, MARCH 13.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.
2. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A copy of all Correspondence between the Government of Queensland and New South Wales, which has been laid before the Executive Council of New South Wales—together with any Minutes of the Executive Council, relative to the payment to the Queensland Government of all balances due on the Assessments, Rents, &c., &c., paid in advance, for one year, in September, 1859, by the Squatters of the Colony of Queensland.
  - (2.) Copies of all Correspondence between the Government of New South Wales and Queensland, relative to the Government of New South Wales continuing to receive Public Moneys, the property of the Colony of Queensland, since the date of the Separation of the latter Colony.

ORDER OF THE DAY :—

1. Capital Punishments Abolition Bill; second reading.

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THURSDAY, MARCH 15.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. WISDOM to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, a sum of money not exceeding £500, for the purpose of erecting a Monument to the memory of the late Dr. Leichhardt:

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Public Lands Bill; second reading.
2. Land Tax Bill; second reading.

T. A. MURRAY;  
*Speaker.*



No. 71.

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

TUESDAY, 6 MARCH, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
The Speaker having reported that he had this day received a Letter (dated the 3rd instant) from Andrew Loder, Esquire, resigning his Seat as Member for Liverpool Plains,—  
Mr. Forster moved, That the Seat of Andrew Loder, Esquire, as Member for the Electoral District of Liverpool Plains, hath become and is now vacant by reason of the resignation thereof by the said Andrew Loder, Esquire.  
Question put and passed.
2. State Aid to Religion Abolition Bill :—The undermentioned Petitions were presented,—
  1. Against the passing of the Bill :—
    - (1.) By Mr. Robertson, from certain Inhabitants of the Town and District of Murrurundi.
  2. In favor of the passing of the Bill :—
    - (By the Rev. Dr. Lang.)
    - (2.) From certain Inhabitants of Kiama and its Suburbs.
    - (3.) From certain Inhabitants of Parramatta and its Suburbs.
    - (4.) From certain Inhabitants of Campbelltown and its Suburbs.
 Petitions received.
3. Adjournment :—Mr. Forster informed the House that Mr. Jones, having undertaken to form an Administration, had requested him to move the further adjournment of the House for one day.  
Mr. Forster then moved, That this House do now adjourn until Three o'clock to-morrow.  
Question put and passed.  
The House accordingly adjourned at twenty-five minutes before Four o'clock, until to-morrow, at Three o'clock.

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

WEDNESDAY, MARCH 7.

*Contingent Notices of Motion :—*

1. MR. HODGSON to move (*upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read*),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.
2. MR. PARKES to move, in Committee of Supply, (*on the Railway Estimates being taken into consideration*),—That Alexander Rhodes, Esq., Railway Contractor, Charles Fowler, Esq., Engineer under Messrs. Peto Brassey and Betts, Captain B. H. Martindale Commissioner of Internal Communication, and John Whitton, Esq. Engineer-in-Chief of the Railway Department,—be examined at the Bar, on the construction and character of the Railway Works now in progress.
3. MR. SAMUEL to move (*In Committee of Supply*),—That there be appropriated a sum not exceeding £78,000 to defray the expenses of the various Departments and Services of the Colony for the month of March, 1860, at the rates sanctioned for the past year; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Works and Buildings during the same month.

**GOVERNMENT BUSINESS—ORDERS OF THE DAY :—**

1. State Aid to Religion Abolition Bill; second reading.
2. Ways and Means; Resumption of the Committee.
3. Official Salaries Alteration Bill; second reading.
4. Supply; Resumption of the Committee.
5. Harbor, Pilotage, and Navigation Bill; second reading.

OTHER

## OTHER BUSINESS—NOTICES OF MOTION :—

1. **MR. HAY** to move,—
  - (1.) That a Select Committee be appointed to take into consideration the various petitions presented to this House, relative to the Seizure of certain Opium on board the ship "Kate Hooper," and to inquire into and report upon the matter thereof, with power to send for persons and papers.
  - (2.) That such Committee consist of the following Members, viz.:—Mr. Parkes, Mr. Broughton, Mr. Gordon, Mr. Weekes, Mr. Morris, Mr. Wilson, Mr. Jenkins, Mr. Robertson, and the Mover.
2. **MR. PARKES** to move, That the Message of His Excellency the Governor General in answer to the Address of this House, on the subject of Steam Communication between Sydney and Panama, be now taken into consideration.
3. **MR. PARKES** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of the Information, or other Document, upon which Mr. Arthur Hannibal Macarthur, a Magistrate, residing at Stonehenge, in the District of New England, directed the seizure of certain property in the possession of Mr. Frederick Dunbar, as set forth in the Petition of that gentleman, presented to this House on the 25th ultimo.
4. **MR. RUSSELL** to move, That the Petition from Jerry's Plains, and also that from Falbrook, relative to the State Aid to Religion Abolition Bill, presented by him on the 29th February, be printed.
5. **MR. PARKES** to move, That the Petition from Mr. Begg, and certain other Inhabitants of Phillip-street; and the Petition from Mr. Pawley, and certain Inhabitants of Bourke-street, relative to the Tanners' and Curriers' Bill, presented by him on the 28th February, be printed.
6. **MR. GORDON** to move, That the Petition presented by him on the 28th February, from Merchants and Importers of Sydney, against the Freight and Charges Bill, be printed.
7. **MR. OXLEY** to move, That the Petition, against the withdrawal of State Aid to Religion, presented by him from the Roman Catholics of Berrima, on the 28th February, be printed.
8. **MR. PARKES** to move, That the Petition from Goulburn, relative to State Aid to Religion, presented by him on the 28th February, be printed.
9. **MR. BYRNES** to move, That the Petition presented by him on the 28th February, from the Roman Catholics of Parramatta, against the abolition of State Aid to Religion, be printed.
10. **DR. LANG** to move,—
  - (1.) That a Select Committee be appointed to take into consideration the subject of the federation of the Australian Colonies, with a view to ascertain what are the specific objects which it would be desirable to attain through such federation, and whether in the existing circumstances of these Colonies federation is at all practicable.
  - (2.) That such Committee consist of the following Members, viz.:—Mr. Arnold, Mr. Black, Mr. Campbell, Mr. Hay, Mr. Jones, Mr. Morris, Mr. Parkes, Mr. Robertson, Mr. Rotton, and the Mover.
11. **MR. BYRNES** to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
12. **MR. MCARTHUR** to move for leave to introduce a Bill for the removal of the Toll-bar in Botany-street, Redfern, to a more suitable position.
13. **MR. ROBERTSON** to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
14. **MR. PLUNKETT** to move for leave to bring in a Bill to enable the Municipal Council of Sydney to sell certain Debentures.
15. **DR. LANG** to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia, towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
16. **DR. LANG** to move,—
  - (1.) That a Select Committee be appointed to take into consideration and to report upon the Bill for the amendment of the Moreton Bay Immigration and Land Company's Act.
  - (2.) That such Committee consist of the following Members, viz.:—Mr. Black, Mr. Robertson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, Mr. Morris, and the Mover.
17. **MR. PARKES** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.

18. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Nominal Return, with date, of all applications for orders in Bastardy, at the Central and Water Police Offices, in the City of Sydney; a Nominal Return, with date, of the cases in which orders were made, together with the weekly amounts ordered to be paid in each case, since the 1st of January, 1850.
19. MR. J. CAMPBELL to move, That the Petition of certain Clergymen of the Church of England, relative to the State Aid to Religion Abolition Bill, presented by him on the 29th February, be printed.
20. MR. ROBERTSON to move, That the Petition from Murrurundi, relative to the State Aid to Religion Abolition Bill, presented by him on the 28th February, be printed.
21. MR. HAY to move, That the Petition relative to the Seizure of Opium per "Kate Hooper," presented by him on the 29th February, be printed.
22. DR. LANG to move, That the Petition presented by him on the 29th February, from certain Presbyterians of the Congregation of the Scots' Church, Sydney, be printed.
23. MR. WEEKES to move, That the Petition from Inhabitants of West Maitland, praying for the abolition of State Aid, presented by him on the 29th February, be printed.
24. MR. LAYCOCK to move, That the retention or removal, from the City, of Slaughter Houses, Tallow Melting Establishments, Soap and Candle Manufactories, Tripe Boiling Places, and other places of a like nature, be referred to the Committee appointed to consider the proposed Tanners' and Curriers' Bill.
25. MR. PEMELL to move, That the Petition from Camden, relative to the State Aid to Religion Abolition Bill, presented by him on the 29th February, be printed.
26. DR. LANG to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of any Correspondence that may have taken place during the present year, between Mr. Percy Simpson, of Parramatta, and the Honorable the Colonial Secretary, on the subject of certain claims which that gentleman conceives he has upon the Government of this Colony, for services rendered to the Government in former years.

ORDERS OF THE DAY:—

1. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Osley's motion, "That this Bill be now read a second time."
2. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
3. Funds for National and Denominational Education; consideration in Committee of Address for.
4. Lien on Wool Act Continuation Bill; second reading.
5. Necropolis Act Extension Bill; to be further considered in Committee.
6. Mount Keira Tramroad Bill; second reading.
7. Wesley College Bill; to be considered in Committee.
8. Freight and Charges Bill; second reading.
9. Law of Primogeniture Abolition Bill; second reading.

Questions:—

1. MR. ASHER to ask THE SECRETARY FOR LANDS,—Has the Government or the Surveyor General received any Memorial from the Murray Valley Vineyard Association, requesting that they may be allowed to purchase a Section of Land for the purpose of Vine Growing, or to survey and put up for Sale a Section of Land pointed out by the said Company;—if such Memorial has been received, what do the Government intend to do in the matter?
2. MR. ASHER to ask THE SECRETARY FOR LANDS,—Has any Memorial been received by the Government or the Surveyor General, from James M'Lauren, Esquire, praying that certain lands between Albury and Howlong, and between Albury and Mullengandra, may be laid out into Farms, and be put up for sale; and if such Memorial has been received, do the Government intend to comply with its prayer?
3. MR. PEMELL to ask THE COLONIAL SECRETARY,—Whether the Government have decided upon minorities ruling majorities—if not, why a Municipality was granted to Balmain, when the petition against it exceeded that in favor of it by (43) forty-three signatures (*pro*, 373—*con*, 416)?
4. MR. ASHER to ask THE SECRETARY FOR LANDS,—Whether any Tenders have been received by the Surveyor General for the following Runs—Tenders for which were called for on the 23rd January last—and if any Tenders were received, why were they not gazetted in the usual way:—Panbula, Maneroo District; Urabadala and Bunbalong, Murrumbidgee District?
5. MR. HODGSON to ask THE COLONIAL SECRETARY,—When it is probable that this House will receive a reply to the Address to His Excellency the Governor General, adopted by this House, on 10th February, on the subject of the suppressed Despatches relative to the Assessment on Runs Act?
6. MR. GARRETT to ask THE COLONIAL SECRETARY,—When the *Government Gazette Index* for 1859 will be printed?

FRIDAY, MARCH 9.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.
2. Mr. MORRIS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All Correspondence between Captain Douglas, the Gold Commissioner at the Hanging Rock Diggings, and the Attorney General, relative to the proceedings in the case of Bunch, Sergeant of the Gold Police, *versus* M'Ilveen and others, charged with the commission of a common nuisance at Nundle.
  - (2.) A Copy of the Depositions taken in the said case at the Police Office at Nundle.

## ORDERS OF THE DAY :—

1. Public Ferries Law Amendment Bill ; second reading.
2. Bank Statements and Abstracts Regulation Bill ; second reading.

TUESDAY, MARCH 13.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.
2. Mr. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A copy of all Correspondence between the Government of Queensland and New South Wales, which has been laid before the Executive Council of New South Wales—together with any Minutes of the Executive Council, relative to the payment to the Queensland Government of all balances due on the Assessments, Rents, &c., &c., paid in advance, for one year, in September, 1859, by the Squatters of the Colony of Queensland.
  - (2.) Copies of all Correspondence between the Government of New South Wales and Queensland, relative to the Government of New South Wales continuing to receive Public Moneys, the property of the Colony of Queensland, since the date of the Separation of the latter Colony.

## ORDER OF THE DAY :—

1. Capital Punishments Abolition Bill ; second reading.

THURSDAY, MARCH 15.

## OTHER BUSINESS—NOTICE OF MOTION :—

1. Mr. WISDOM to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, a sum of money not exceeding £500, for the purpose of erecting a Monument to the memory of the late Dr. Leichhardt.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Public Lands Bill ; second reading.
2. Land Tax Bill ; second reading.

T. A. MURRAY,  
Speaker.

No. 72.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 7 MARCH, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Mr. Forster informed the House that Mr. Jones had announced to the Governor General his inability to form a Ministry, and that His Excellency had thereupon sent for Mr. Robertson.  
Mr. Forster then moved, That this House do now adjourn until to-morrow, at Three o'clock.  
Question put and passed.  
Whereupon the House adjourned, at half-past Three o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, MARCH 8.

*Contingent Notices of Motion :—*

1. MR. HODGSON to move (*upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read*),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.
2. MR. PARKES to move, in Committee of Supply, (*on the Railway Estimates being taken into consideration*),—That Alexander Rhodes, Esq., Railway Contractor, Charles Fowler, Esq., Engineer under Messrs. Peto Brassey and Betts, Captain B. H. Martindale, Commissioner of Internal Communication, and John Whitton, Esq., Engineer-in-Chief of the Railway Department,—be examined at the Bar, on the construction and character of the Railway Works now in progress.
3. MR. SAMUEL to move (*In Committee of Supply*),—That there be appropriated a sum not exceeding £78,000 to defray the expenses of the various Departments and Services of the Colony for the month of March, 1860, at the rates sanctioned for the past year; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Works and Buildings during the same month.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. State Aid to Religion Abolition Bill; second reading.
2. Ways and Means; Resumption of the Committee.
3. Official Salaries Alteration Bill; second reading.
4. Supply; Resumption of the Committee.
5. Harbor, Pilotage, and Navigation Bill; second reading.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HAY to move,—  
(1.) That a Select Committee be appointed to take into consideration the various petitions presented to this House, relative to the Seizure of certain Opium on board the ship "Kate Hooper," and to inquire into and report upon the matter thereof, with power to send for persons and papers.  
(2.) That such Committee consist of the following Members, viz.:—Mr. Parkes, Mr. Broughton, Mr. Gordon, Mr. Weekes, Mr. Morris, Mr. Wilson, Mr. Jenkins, Mr. Robertson, and the Mover.
2. MR. PARKES to move, That the Message of His Excellency the Governor General in answer to the Address of this House, on the subject of Steam Communication between Sydney and Panama, be now taken into consideration.

3. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of the Information, or other Document, upon which Mr. Arthur Hannibal Macarthur, a Magistrate, residing at Stonohenge, in the District of New England, directed the seizure of certain property in the possession of Mr. Frederick Dunbar, as set forth in the Petition of that gentleman, presented to this House on the 25th ultimo.
4. MR. RUSSELL to move, That the Petition from Jerry's Plains, and also that from Falbrook, relative to the State Aid to Religion Abolition Bill, presented by him on the 29th February, be printed.
5. MR. PARKES to move, That the Petition from Mr. Begg, and certain other Inhabitants of Phillip-street; and the Petition from Mr. Pawley, and certain Inhabitants of Bourke-street, relative to the Tanners' and Curriers' Bill, presented by him on the 28th February, be printed.
6. MR. GORDON to move, That the Petition presented by him on the 28th February, from Merchants and Importers of Sydney, against the Freight and Charges Bill, be printed.
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  - (1.) That a Select Committee be appointed to take into consideration the subject of the federation of the Australian Colonies, with a view to ascertain what are the specific objects which it would be desirable to attain through such federation, and whether in the existing circumstances of these Colonies federation is at all practicable.
  - (2.) That such Committee consist of the following Members, viz.:—Mr. Arnold, Mr. Black, Mr. Campbell, Mr. Hay, Mr. Jones, Mr. Morris, Mr. Parkes, Mr. Robertson, Mr. Rotton, and the Mover.
11. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
12. MR. McARTHUR to move for leave to introduce a Bill for the removal of the Toll-bar in Botany-street, Redfern, to a more suitable position.
13. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
14. MR. PLUNKETT to move for leave to bring in a Bill to enable the Municipal Council of Sydney to sell certain Debentures.
15. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia, towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
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17. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
18. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Nominal Return, with date, of all applications for orders in Bastardy, at the Central and Water Police Offices, in the City of Sydney; a Nominal Return, with date, of the cases in which orders were made, together with the weekly amounts ordered to be paid in each case, since the 1st of January, 1856.
19. MR. J. CAMPBELL to move, That the Petition of certain Clergymen of the Church of England, relative to the State Aid to Religion Abolition Bill, presented by him on the 29th February, be printed.
20. MR. ROBERTSON to move, That the Petition from Murrurundi, relative to the State Aid to Religion Abolition Bill, presented by him on the 28th February, be printed.

21. MR. HAY to move, That the Petition relative to the Seizure of Opium per "Kate Hooper," presented by him on the 29th February, be printed.
22. DR. LANG to move, That the Petition presented by him on the 29th February, from certain Presbyterians of the Congregation of the Scots' Church, Sydney, be printed.
23. MR. WEEKES to move, That the Petition from Inhabitants of West Maitland, praying for the abolition of State Aid, presented by him on the 29th February, be printed.
24. MR. LAYCOCK to move, That the retention or removal, from the City, of Slaughter Houses, Tallow Melting Establishments, Soap and Candle Manufactories, Tripe Boiling Places, and other places of a like nature, be referred to the Committee appointed to consider the proposed Tanners' and Curriers' Bill.
25. MR. PEMELL to move, That the Petition from Camden, relative to the State Aid to Religion Abolition Bill, presented by him on the 29th February, be printed.
26. DR. LANG to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of any Correspondence that may have taken place during the present year, between Mr. Percy Simpson, of Parramatta, and the Honorable the Colonial Secretary, on the subject of certain claims which that gentleman conceives he has upon the Government of this Colony, for services rendered to the Government in former years.

ORDERS OF THE DAY:—

1. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."
2. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
3. Funds for National and Denominational Education; consideration in Committee of Address for.
4. Lien on Wool Act Continuation Bill; second reading.
5. Necropolis Act Extension Bill; to be further considered in Committee.
6. Mount Keira Tramroad Bill; second reading.
7. Wesley College Bill; to be considered in Committee.
8. Freight and Charges Bill; second reading.
9. Law of Primogeniture Abolition Bill; second reading.

Questions:—

1. MR. ASHER to ask THE SECRETARY FOR LANDS,—Has the Government or the Surveyor General received any Memorial from the Murray Valley Vineyard Association, requesting that they may be allowed to purchase a Section of Land for the purpose of Vine Growing, or to survey and put up for Sale a Section of Land pointed out by the said Company;—if such Memorial has been received, what do the Government intend to do in the matter?
2. MR. ASHER to ask THE SECRETARY FOR LANDS,—Has any Memorial been received by the Government or the Surveyor General, from James M'Lauren, Esquire, praying that certain lands between Albury and Howlong, and between Albury and Mullengandra, may be laid out into Farms, and be put up for sale; and if such Memorial has been received, do the Government intend to comply with its prayer?
3. MR. PEMELL to ask THE COLONIAL SECRETARY,—Whether the Government have decided upon minorities ruling majorities—if not, why a Municipality was granted to Balmain, when the petition against it exceeded that in favor of it by (43) forty-three signatures (*pro*, 373—*con*, 416)?
4. MR. ASHER to ask THE SECRETARY FOR LANDS,—Whether any Tenders have been received by the Surveyor General for the following Runs—Tenders for which were called for on the 23rd January last—and if any Tenders were received, why were they not gazetted in the usual way:—Panbula, Maneroo District; Urabadala and Bunbalong, Murrumbidgee District?
5. MR. HODGSON to ask THE COLONIAL SECRETARY,—When it is probable that this House will receive a reply to the Address to His Excellency the Governor General, adopted by this House, on 10th February, on the subject of the suppressed Despatches relative to the Assessment on Runs Act?
6. MR. GARRETT to ask THE COLONIAL SECRETARY,—When the *Government Gazette Index* for 1859 will be printed?

FRIDAY, MARCH 9.

OTHER BUSINESS—NOTICES OF MOTION:—

1. Mr. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.
2. Mr. MORRIS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—  
(1) All Correspondence between Captain Douglas, the Gold Commissioner at the Hanging Rock Diggings, and the Attorney General, relative to the proceedings in the case of Bunch, Sergeant of the Gold Police, *versus* M'Ilveen and others, charged with the commission of a common nuisance at Nundle.  
(2.) A Copy of the Depositions taken in the said case at the Police Office at Nundle.

ORDERS OF THE DAY:—

1. Public Ferries Law Amendment Bill; second reading.
2. Bank Statements and Abstracts Regulation Bill; second reading.

TUESDAY,

TUESDAY, MARCH 13.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.
2. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—

(1.) A copy of all Correspondence between the Government of Queensland and New South Wales, which has been laid before the Executive Council of New South Wales— together with any Minutes of the Executive Council, relative to the payment to the Queensland Government of all balances due on the Assessments, Rents, &c., &c., paid in advance, for one year, in September, 1859, by the Squatters of the Colony of Queensland.

(2.) Copies of all Correspondence between the Government of New South Wales and Queensland, relative to the Government of New South Wales continuing to receive Public Moneys, the property of the Colony of Queensland, since the date of the Separation of the latter Colony.

ORDER OF THE DAY :—

1. Capital Punishments Abolition Bill; second reading.

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THURSDAY, MARCH 15.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. WISDOM to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, a sum of money not exceeding £500, for the purpose of erecting a Monument to the memory of the late Dr. Leichhardt.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Public Lands Bill; second reading.
2. Land Tax Bill; second reading.

T. A. MURRAY,  
*Speaker.*

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No. 73.

## VOTES AND PROCEEDINGS

OF THE

# LEGISLATIVE ASSEMBLY.

THURSDAY, 8 MARCH, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
State Aid to Religion Abolition Bill:—Mr. Jones presented a Petition from certain Inhabitants of Hinton and its vicinity, in favor of the passing of this Bill.  
Petition received.
2. Acceptance of Office:—Mr. Gray, on behalf of the New Administration, informed the House that John Robertson, Esquire, Elias Carpenter Weekes, Esquire, and William Munnings Arnold, Esquire, had accepted Office under the Crown, and had thereby vacated their Seats in this House.
3. Vacant Seats:—Mr. Gray then moved,—
  - (1.) That the Seat of John Robertson, Esquire, hath become and is now vacant, by reason of his acceptance of the Office of Secretary for Lands, since his election and return to serve in this House as Member for the Electoral District of Upper Hunter.  
Question put and passed.
  - (2.) That the Seat of Elias Carpenter Weekes, Esquire, hath become and is now vacant, by reason of his acceptance of the Office of Colonial Treasurer, since his election and return to serve in this House as Member for the Electoral District of West Maitland.  
Question put and passed.
  - (3.) That the Seat of William Munnings Arnold, Esquire, hath become and is now vacant, by reason of his acceptance of the office of Secretary for Public Works, since his election and return to serve in this House as Member for the Electoral District of The Paterson.  
Question put and passed.
4. Adjournment:—Mr. Gray then moved, That this House do now adjourn until Three o'clock on Tuesday, the 3rd day of April next,—  
And Mr. Jones, Mr. Hay, and Sir Daniel Cooper, having explained the proceedings taken by them, respectively, with reference to the formation of an Administration to succeed that of Mr. Forster,—  
Debate ensued.  
Question put and passed.  
Whereupon the House adjourned, at twenty minutes before Five o'clock, until Tuesday, the 3rd day of April next, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, APRIL 3.

### Contingent Notices of Motion:—

1. MR. HODGSON to move (*upon the Order of the Day for the second reading of the State Aid to Religion Abolition. Bill being read*),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.
2. MR. PARKES to move, in Committee of Supply, (*on the Railway Estimates being taken into consideration*),—That Alexander Rhodes, Esq., Railway Contractor, Charles Fowler, Esq., Engineer under Messrs. Peto Brassey and Betts, Captain B. H. Martindale, Commissioner of Internal Communication, and John Whitton, Esq., Engineer-in-Chief of the Railway Department,—be examined at the Bar, on the construction and character of the Railway Works now in progress.

3. MR. SAMUEL to move (*In Committee of Supply*),—That there be appropriated a sum not exceeding £78,000 to defray the expenses of the various Departments and Services of the Colony for the month of March, 1860, at the rates sanctioned for the past year; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Works and Buildings during the same month.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. HAY to move,—  
(1.) That a Select Committee be appointed to take into consideration the various petitions presented to this House, relative to the Seizure of certain Opium on board the ship "Kate Hooper," and to inquire into and report upon the matter thereof, with power to send for persons and papers.  
(2.) That such Committee consist of the following Members, viz.:—Mr. Parkes, Mr. Broughton, Mr. Gordon, Mr. Weekes, Mr. Morris, Mr. Wilson, Mr. Jenkins, Mr. Robertson, and the Mover.
2. MR. PARKES to move, That the Message of His Excellency the Governor General in answer to the Address of this House, on the subject of Steam Communication between Sydney and Panama, be now taken into consideration.
3. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of the Information, or other Document, upon which Mr. Arthur Hannibal Macarthur, a Magistrate, residing at Stonehenge, in the District of New England, directed the seizure of certain property in the possession of Mr. Frederick Dunbar, as set forth in the Petition of that gentleman, presented to this House on the 25th ultimo.
4. MR. RUSSELL to move, That the Petition from Jerry's Plains, and also that from Falbrook, relative to the State Aid to Religion Abolition Bill, presented by him on the 29th February, be printed.
5. MR. PARKES to move, That the Petition from Mr. Begg, and certain other Inhabitants of Phillip-street; and the Petition from Mr. Pawley, and certain Inhabitants of Bourke-street, relative to the Tanners' and Curriers' Bill, presented by him on the 28th February, be printed.
6. MR. GORDON to move, That the Petition presented by him on the 28th February, from Merchants and Importers of Sydney, against the Freight and Charges Bill, be printed.
7. MR. OXLEY to move, That the Petition, against the withdrawal of State Aid to Religion, presented by him from the Roman Catholics of Berrima, on the 28th February, be printed.
8. MR. PARKES to move, That the Petition from Goulburn, relative to State Aid to Religion, presented by him on the 28th February, be printed.
9. MR. BYRNES to move, That the Petition presented by him on the 28th February, from the Roman Catholics of Parramatta, against the abolition of State Aid to Religion, be printed.
10. DR. LANG to move,—  
(1.) That a Select Committee be appointed to take into consideration the subject of the federation of the Australian Colonies, with a view to ascertain what are the specific objects which it would be desirable to attain through such federation, and whether in the existing circumstances of these Colonies federation is at all practicable.  
(2.) That such Committee consist of the following Members, viz.:—Mr. Arnold, Mr. Black, Mr. Campbell, Mr. Hay, Mr. Jones, Mr. Morris, Mr. Parkes, Mr. Robertson, Mr. Rotton, and the Mover.
11. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
12. MR. MCARTHUR to move for leave to introduce a Bill for the removal of the Toll-bar in Botany-street, Redfern, to a more suitable position.
13. MR. ROBERTSON to move for leave to bring in a Bill to amend the Law relating to the Impounding of Cattle.
14. MR. PLUNKETT to move for leave to bring in a Bill to enable the Municipal Council of Sydney to sell certain Debentures.
15. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia, towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
16. DR. LANG to move,—  
(1.) That a Select Committee be appointed to take into consideration and to report upon the Bill for the amendment of the Moreton Bay Immigration and Land Company's Act.  
(2.) That such Committee consist of the following Members, viz.:—Mr. Black, Mr. Robertson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, Mr. Morris, and the Mover.

17. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
18. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Nominal Return, with date, of all applications for orders in Bastardy, at the Central and Water Police Offices, in the City of Sydney; a Nominal Return, with date, of the cases in which orders were made, together with the weekly amounts ordered to be paid in each case, since the 1st of January, 1850.
19. MR. J. CAMPBELL to move, That the Petition of certain Clergymen of the Church of England, relative to the State Aid to Religion Abolition Bill, presented by him on the 29th February, be printed.
20. MR. ROBERTSON to move, That the Petition from Murrurundi, relative to the State Aid to Religion Abolition Bill, presented by him on the 28th February, be printed.
21. MR. HAY to move, That the Petition relative to the Seizure of Opium per "Kate Hooper," presented by him on the 29th February, be printed.
22. DR. LANG to move, That the Petition presented by him on the 29th February, from certain Presbyterians of the Congregation of the Scots' Church, Sydney, be printed.
23. MR. WEEKES to move, That the Petition from Inhabitants of West Maitland, praying for the abolition of State Aid, presented by him on the 29th February, be printed.
24. MR. LAYCOCK to move, That the retention or removal, from the City, of Slaughter Houses, Tallow Melting Establishments, Soap and Candle Manufactories, Tripe Boiling Places, and other places of a like nature, be referred to the Committee appointed to consider the proposed Tanners' and Curriers' Bill.
25. MR. PEMELL to move, That the Petition from Camden, relative to the State Aid to Religion Abolition Bill, presented by him on the 29th February, be printed.
26. DR. LANG to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of any Correspondence that may have taken place during the present year, between Mr. Percy Simpson, of Parramatta, and the Honorable the Colonial Secretary, on the subject of certain claims which that gentleman conceives he has upon the Government of this Colony, for services rendered to the Government in former years.
27. MR. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.
28. MR. MORRIS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) All Correspondence between Captain Douglas, the Gold Commissioner at the Hanging Rock Diggings, and the Attorney General, relative to the proceedings in the case of Bunch, Sergeant of the Gold Police, *versus* M'Ilveen and others, charged with the commission of a common nuisance at Nundle.
  - (2.) A Copy of the Depositions taken in the said case at the Police Office at Nundle.
29. MR. COOPER to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Additional Estimates of 1860, the sum of £10,000 for the purchase or erection of a suitable building for a Foundling Hospital, and of securing an annual endowment of £5,000 for the support of such Hospital.
30. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A copy of all Correspondence between the Government of Queensland and New South Wales, which has been laid before the Executive Council of New South Wales— together with any Minutes of the Executive Council, relative to the payment to the Queensland Government of all balances due on the Assessments, Rents, &c., &c., paid in advance, for one year, in September, 1859, by the Squatters of the Colony of Queensland.
  - (2.) Copies of all Correspondence between the Government of New South Wales and Queensland, relative to the Government of New South Wales continuing to receive Public Moneys, the property of the Colony of Queensland, since the date of the Separation of the latter Colony.
31. MR. WISDOM to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, a sum of money not exceeding £500, for the purpose of erecting a Monument to the memory of the late Dr. Leichhardt.
32. DR. LANG to move, That the Petition presented by him on Friday, the 2nd of March, from certain Shipwrights and Merchants in the City of Sydney, be printed.
33. DR. LANG to move, That the Petition presented by him on the 2nd of March, from 2,359 of the Inhabitants of Sydney, against the continuance of State Aid for Religion, be printed.

34. DR. LANG to move, That the Petitions presented by him, for the Abolition of State Aid, from Kiama, Campbelltown, and Parramatta, respectively, be printed.
35. MR. JONES to move, That the Petition from Hinton, relative to the State Aid to Religion Abolition Bill, presented by him on the 8th of March, be printed.

ORDERS OF THE DAY :—

1. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."
2. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
3. Funds for National and Denominational Education; consideration in Committee of Address for.
4. Lien on Wool Act Continuation Bill; second reading.
5. Necropolis Act Extension Bill; to be further considered in Committee.
6. Mount Keira Tramroad Bill; second reading.
7. Wesley College Bill; to be considered in Committee.
8. Freight and Charges Bill; second reading.
9. Law of Primogeniture Abolition Bill; second reading.
10. Public Ferries Law Amendment Bill; second reading.
11. Bank Statements and Abstracts Regulation Bill; second reading.
12. Capital Punishments Abolition Bill; second reading.
13. State Aid to Religion Abolition Bill; second reading.
14. Ways and Means; Resumption of the Committee.
15. Official Salaries Alteration Bill; second reading.
16. Supply; Resumption of the Committee.
17. Harbor, Pilotage, and Navigation Bill; second reading.
18. Public Lands Bill; second reading.
19. Land Tax Bill; second reading.

Questions :—

1. MR. ASHER to ask THE SECRETARY FOR LANDS,—Has the Government or the Surveyor General received any Memorial from the Murray Valley Vineyard Association, requesting that they may be allowed to purchase a Section of Land for the purpose of Vine Growing, or to survey and put up for Sale a Section of Land pointed out by the said Company;—if such Memorial has been received, what do the Government intend to do in the matter?
2. MR. ASHER to ask THE SECRETARY FOR LANDS,—Has any Memorial been received by the Government or the Surveyor General, from James M'Lauren, Esquire, praying that certain lands between Albury and Howlong, and between Albury and Mullengandra, may be laid out into Farms, and be put up for sale; and if such Memorial has been received, do the Government intend to comply with its prayer?
3. MR. PEMELL to ask THE COLONIAL SECRETARY,—Whether the Government have decided upon minorities ruling majorities—if not, why a Municipality was granted to Balmain, when the petition against it exceeded that in favor of it by (43) forty-three signatures (*pro*, 373—*con*, 416)?
4. MR. ASHER to ask THE SECRETARY FOR LANDS,—Whether any Tenders have been received by the Surveyor General for the following Runs—Tenders for which were called for on the 23rd January last—and if any Tenders were received, why were they not gazetted in the usual way :—Panbula, Maneroo District; Urabadala and Bunbalong, Murrumbidgee District?
5. MR. HODGSON to ask THE COLONIAL SECRETARY,—When it is probable that this House will receive a reply to the Address to His Excellency the Governor General, adopted by this House, on 10th February, on the subject of the suppressed Despatches relative to the Assessment on Runs Act?
6. MR. GARRETT to ask THE COLONIAL SECRETARY,—When the *Government Gazette Index* for 1859 will be printed?

T. A. MURRAY,  
*Speaker.*

No. 74.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

TUESDAY, 3 APRIL, 1860.

## 1. The House met pursuant to adjournment.

Unavoidable Absence of the Speaker:—The House being informed by the Clerk of the unavoidable absence of Mr. Speaker, who had addressed to him, to-day, the following note, which he read to the House,—

169, Macquarie-street,  
April 3rd, 1860.

DEAR SIR,

I regret much that, from a severe attack of European Cholera, under which I suffered for some six or eight hours this morning, and for which I am now under Medical treatment, it is impossible for me to take the Chair in the House of Assembly this evening.

Will you be good enough to communicate this to Honorable Members, so that they may act on the Standing Order which admits of the Chairman of Committees acting as Speaker for the day under such circumstances.

I am, dear Sir,

Faithfully yours,

CHARLES TOMPSON, ESQ.,  
House of Assembly.  
&c., &c., &c.

T. A. MURRAY,  
Speaker.

And the Clerk having read to the House the second section of the Standing Orders, which provides, that, "Whenever the House shall be informed of the unavoidable absence of the Speaker, the Chairman of Committees shall take the Chair, for that day only, and, in the event of the Speaker's absence continuing for more than one day, shall, if the House think fit, and so order it, take the Chair in like manner on any subsequent day during such absence,"—

Mr. Piddington took the Chair of the House for to-day.

2. Deputy Speaker's Commission to Administer the Oath:—The Deputy Speaker reported that His Excellency the Governor General had been pleased to issue a Commission, under the Seal of the Territory, empowering him to administer the Oath or Affirmation of Allegiance to such Members as may hereafter present themselves to be sworn—

which Commission was read at length by the Clerk, as follows:—  
"By His Excellency SIR WILLIAM THOMAS DENISON, Knight Commander of the Most Honorable Order of the Bath, Governor General in and over all Her Majesty's Colonies of New South Wales, Tasmania, Victoria, South Australia, and Western Australia, and 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."

"To all to whom these presents shall come,

"GREETING:

"In pursuance of the authority in me vested in that behalf, I, Sir William Thomas Denison, as Governor of the Colony of New South Wales, do hereby authorise William Richman Piddington, Esquire, Chairman of Committees of the Legislative Assembly of the said Colony, in the absence of the Honorable the Speaker of the said Assembly, to administer from time to time, as occasion may require, to any Members of the said Assembly, to whom the same shall not have been previously administered, the Oath or Affirmation of Allegiance to Her Majesty the Queen, required by Law to be taken or made and subscribed by every such Member before he shall be permitted to sit or vote in the said Legislative Assembly.

"Given under my Hand and the Seal of the Territory, at Government House, Sydney, this third day of April, in the year of Our Lord one thousand eight hundred and sixty, and in the twenty-third year of the Reign of Her Majesty Queen Victoria.

"W. DENISON.

"By His Excellency's Command,

"CHARLES COWPER."

## 3. Members Sworn :—

(1.) John Robertson, Esquire, having taken the Oath and subscribed the Roll, took his Seat as Member for the Electoral District of The Upper Hunter.

(2.) Elias Carpenter Weekes, Esquire, having taken the Oath and subscribed the Roll, took his Seat as Member for the Electoral District of West Maitland.

(3.) William Munnings Arnold, Esquire, having taken the Oath and subscribed the Roll, took his Seat as Member for the Electoral District of The Paterson.

## 4. Fijian Islands :—The following Message from His Excellency the Governor General received and read :—

W. DENISON,

*Governor General.*

*Message No. 29.*

The Governor General lays before the Legislative Assembly a copy of a Despatch with which he has been honored by the Secretary of State, in reply to the Despatch bringing under the notice of Her Majesty's Government the Resolutions of the Assembly of the 11th October last, on the subject of the Fiji Islands.

*Government House,*

*Sydney, 3rd April, 1860.*

And the Despatch having been read at length by the Clerk,—

Mr. Robertson moved, That this Message, together with the accompanying Despatch, be printed.

Question put and passed.

Ordered to be printed.

## 5. Ministerial Explanation :—Mr. Robertson addressed the House in explanation of the formation of his Ministry.

## 6. State Aid to Religion :—Mr. Hamilton presented a Petition from certain Residents in the District of Cooma, in the Pastoral District of Maneroo, against the withdrawal of State Aid to Religion.

Petition received.

## 7. Land Tax Bill :—Mr. Windeyer presented a Petition from certain Landed Proprietors, Tenants, and others, Inhabitants of Raymond Terrace and its vicinity, praying that this Bill may not pass.

Petition received.

## 8. Fitz Roy Dry Dock :—Mr. Parkes presented a Petition from John Cuthbert, of Sydney, Ship-builder, Lessee of the Patent Slip at Pyrmont, the property of the Australasian Steam Navigation Company, complaining of the competition of the Fitz Roy Dry Dock, and praying for the adoption of certain measures which will have the effect of affording relief.

Petition received.

## 9. Licensed Hawkers :—Mr. Parkes presented a Petition from certain Licensed Hawkers of the Colony of New South Wales, praying for such alteration of the Law as will extend the exercise of their calling from one District only to the whole Colony.

Petition received.

## 10. Papers :—Mr. Robertson laid upon the Table the undermentioned Papers :—

(1.) Subordinate Roads of New South Wales—Classification and proposed Expenditure for 1860, (being Return to Address, adopted on motion of Mr. Cape, 23 February, 1860.)

(2.) Road Trust Accounts.

(3.) Return to an Address, in reference to Church and School Lands, adopted, on the motion of Mr. Wilson, on 23rd September, 1859.

(4.) Federal Institutions. (Further papers respecting.)

(5.) Despatch, dated 1st January, 1860, (with enclosure), respecting Naval Cadetships in the Colony.

(6.) Despatch of Major General Hay, dated 25th November, 1859, respecting Selection of Rifles for the Government of New South Wales.

(7.) Despatch from Lord Carnarvon, dated 19th May, 1859, (with enclosures), respecting Colonial Civil Service Pensions and Gratuities.

(8.) Ordnance Returns.

(9.) Return to Address, in reference to Members of the Executive Council, adopted on motion of Mr. Plunkett, on the 18th October, 1859.

(10.) Return to Address, in reference to Additional Polling Places, New England, adopted, on motion of Mr. Hoskins, on 7th February, 1860.

(11.) Return to Address, in reference to Catechists to National Schools, adopted, on motion of Mr. Windeyer, on 16th February, 1860.

(12.) Return to Address, in reference to Mr. W. R. Riley, adopted, on motion of Mr. Dalley, on 3rd February, 1860.

(13.) Further Return to Address, in reference to Parliamentary Officers, adopted, on motion of Mr. Dalley, on 27th January, 1860.

(14.) Final Return to Address, in reference to Confines waiting Trial and under Sentence, adopted, on motion of Mr. Jenkins, on 18th October, 1859.

Ordered to be printed.

## 11. Special Roman Catholic Education :—Mr. Cooper presented a Petition from certain Roman Catholics of the District of Braidwood, praying that a portion of the sum appropriated for Public Education may be set apart specially for Roman Catholic Education.

Petition received.

## 12. Motion Dropped :—Mr. Hay not making the motion standing in his name No. 1 on the Notice Paper for to-day, it dropped.

13. Postponement :—Mr. Parkes postponed the motion standing in his name No. 2, on the Notice Paper for to-day, until to-morrow.
14. Mr. Frederick Dunbar :—Mr. Parkes moved, pursuant to *amended* notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of the Information, or other Document, upon which Mr. Arthur Hannibal Macarthur, a Magistrate, residing at Stonehenge, in the District of New England, directed the seizure of certain property in the possession of Mr. Frederick Dunbar, as set forth in the Petition of that gentleman, presented to this House on the 25th January.  
Question put and passed.
15. Motion Dropped :—Mr. Russell not making the motion standing in his name, No. 4 on the Notice Paper for to-day, it dropped.
16. Tanners' and Curriers' Bill :—Mr. Parkes moved, pursuant to notice, That the Petition from Mr. Begg, and certain other Inhabitants of Phillip-street ; and the Petition from Mr. Pawley, and certain Inhabitants of Bourke-street, relative to the Tanners' and Curriers' Bill, presented by him on the 28th February, be printed.  
Question put and passed.  
Ordered to be printed.
17. Postponement :—Mr. Gordon postponed the motion standing in his name, No. 6 on the Notice Paper for to-day, until this day week.
18. State Aid to Religion :—  
(1.) Mr. Wild moved, pursuant to notice standing in the name of Mr. Oxley, That the Petition, against the withdrawal of State Aid to Religion, presented by Mr. Oxley, from the Roman Catholics of Berrima, on the 28th February, be printed.  
Question put and passed.  
Ordered to be printed.  
(2.) Mr. Parkes moved, pursuant to notice, That the Petition from Goulburn, relative to State Aid to Religion, presented by him on the 28th February, be printed.  
Question put and passed.  
Ordered to be printed.  
(3.) Mr. Byrnes moved, pursuant to notice, That the Petition presented by him on the 28th February, from the Roman Catholics of Parramatta, against the abolition of State Aid to Religion, be printed.  
Question put and passed.  
Ordered to be printed.
19. Federation of the Australian Colonies :—Dr. Lang moved, pursuant to notice,—  
(1.) That a Select Committee be appointed to take into consideration the subject of the federation of the Australian Colonies, with a view to ascertain what are the specific objects which it would be desirable to attain through such federation, and whether in the existing circumstances of these Colonies federation is at all practicable.  
(2.) That such Committee consist of the following Members, viz. :—Mr. Arnold, Mr. Black, Mr. Campbell, Mr. Hay, Mr. Jones, Mr. Morris, Mr. Parkes, Mr. Robertson, Mr. Rotton, and the Mover.  
Debate ensued.  
And Mr. Windeyer requiring that the proposed Committee be appointed by Ballot,—  
Question,—That a Select Committee be appointed to take into consideration the subject of the federation of the Australian Colonies, with a view to ascertain what are the specific objects which it would be desirable to attain through such federation, and whether, in the existing circumstances of these Colonies, federation is at all practicable,—put and passed ;—  
Whereupon the House proceeded to the Ballot, and the Deputy Speaker declared the following Members to be the Committee duly appointed :—Mr. Windeyer, Mr. Hay, Mr. Parkes, Mr. Jones, Mr. Arnold, Mr. Black, Dr. Lang, Mr. Robertson, Mr. J. Campbell, and Mr. Darvall.
20. Postponements :—  
(1.) Mr. Byrnes postponed the motion standing in his name, No. 11 on the Notice Paper for to-day, until Friday week.  
(2.) Mr. A. Campbell postponed the motion standing in the name of Mr. McArthur, No. 12 on the Notice Paper for to-day, until the 13th April.
21. Motion Dropped :—Mr. Robertson not making the motion standing in his name, No. 13 on the Notice Paper for to-day, it dropped.
22. Sydney Council Debentures Bill :—Mr. Plunkett moved, pursuant to notice, for leave to bring in a Bill to enable the Municipal Council of Sydney to sell certain Debentures.  
Question put and passed ;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
23. Postponement :—Dr. Lang postponed the motion standing in his name, No. 15 on the Notice Paper for to-day, until Tuesday next.
24. Moreton Bay Immigration and Land Company's Act :—Dr. Lang moved, pursuant to notice,—  
(1.) That a Select Committee be appointed to take into consideration and to report upon the Bill for the amendment of the Moreton Bay Immigration and Land Company's Act.  
(2.) That such Committee consist of the following Members, viz. :—Mr. Black, Mr. Robertson, Mr. Irving, Mr. Flett, Mr. Rotton, Mr. Laycock, Mr. Morris, and the Mover.  
Question put and passed.

25. Sydney Council Debentures Bill:—Mr. Plunkett having presented this Bill, Bill, intituled, "*A Bill to facilitate the Issue and Sale of City Debentures*," read a first time; ordered to be printed, and read a second time this day week.
26. Tala Run:—Mr. Parkes moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
- (1.) All correspondence between the Government and the occupants of Tala Run and the Local Commissioner, on the subject of an amended claim to lease made for that Run since the year 1850.
  - (2.) All correspondence on the subject of any tenders said to clash with the amended boundaries of Tala, with the Local Commissioner or the occupants of Tala or Moolpa Run.
  - (3.) The minutes of any proceedings held for the purpose of investigating these matters on behalf of the Government.
  - (4.) A tracing shewing the original claim to lease of Tala, with its area, and shewing the amended claim with its area.
- Debate ensued.  
Question put and passed.
27. Postponement:—Mr. Parkes postponed the motion standing in the name of Mr. Windeyer, No. 18 on the Notice Paper for to-day, until Tuesday next.
28. State Aid to Religion:—
- (1.) Dr. Lang moved, pursuant to notice standing in the name of Mr. J. Campbell, No. 19 on the Notice Paper for to-day, That the Petition of certain Clergymen of the Church of England, relative to the State Aid to Religion Abolition Bill, presented by Mr. Campbell on the 29th February, be printed.  
Question put and passed.  
Ordered to be printed.
  - (2.) Mr. Robertson moved, pursuant to notice, That the Petition from Murrurundi, relative to the State Aid to Religion Abolition Bill, presented by him on the 28th February, be printed.  
Question put and passed.  
Ordered to be printed.
29. Motion dropped:—Mr. Hay not making the motion standing in his name, No. 21 on the Notice Paper for to-day, it dropped.
30. State Aid to Religion:—
- (1.) Dr. Lang moved, pursuant to notice, That the Petition presented by him on the 29th February, from certain Presbyterians of the Congregation of the Scots' Church, Sydney, be printed.  
Question put and passed.  
Ordered to be printed.
  - (2.) Mr. Weekes moved, pursuant to notice, That the Petition from Inhabitants of West Maitland, praying for the abolition of State Aid, presented by him on the 29th February, be printed.  
Question put and passed.  
Ordered to be printed.
31. Motion dropped:—Mr. Laycock not making the motion standing in his name, No. 24 on the Notice Paper for to-day, it dropped.
32. State Aid to Religion:—Mr. Pomell moved, pursuant to notice, That the Petition from Camden, relative to the State Aid to Religion Abolition Bill, presented by him on the 29th February, be printed.  
Question put and passed.  
Ordered to be printed.
33. Mr. Percy Simpson:—Dr. Lang moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of any Correspondence that may have taken place during the present year, between Mr. Percy Simpson, of Parramatta, and the Honorable the Colonial Secretary, on the subject of certain claims which that gentleman conceives he has upon the Government of this Colony, for services rendered to the Government in former years.  
Question put and passed.
34. Motion dropped:—Mr. Lucas not making the motion standing in his name, No. 27 on the Notice Paper for to-day, it dropped.
35. Motion withdrawn:—Mr. Morris withdrew the motion standing in his name, No. 28 on the Notice Paper for to-day.
36. Motion dropped:—Mr. Cooper not making the motion standing in his name, No. 29 on the Notice Paper for to-day, it dropped.
37. Public Moneys received from Queensland:—Mr. Hodgson moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
- (1.) A copy of all Correspondence between the Government of Queensland and New South Wales, which has been laid before the Executive Council of New South Wales—together with any Minutes of the Executive Council, relative to the payment to the Queensland Government of all balances due on the Assessments, Rents, &c., &c., paid in advance, for one year, in September, 1859, by the Squatters of the Colony of Queensland.



- (2.) Copies of all Correspondence between the Government of New South Wales and Queensland, relative to the Government of New South Wales continuing to receive Public Moneys, the property of the Colony of Queensland, since the date of the Separation of the latter Colony.  
Question put and passed.
38. Motion withdrawn :—Mr. Wisdom withdrew the motion standing in his name, No. 31 on the Notice Paper for to-day.
39. Fitz Roy Dry Dock :—Dr. Lang moved, pursuant to *amended* notice, That the Petition presented by him on Thursday, the 1st of March, from certain Shipwrights and Merchants in the City of Sydney, be printed.  
Question put and passed.  
Ordered to be printed.
40. State Aid to Religion :—  
(1.) Dr. Lang moved, pursuant to *amended* notice, That the Petition presented by him on the 1st of March, from 2,359 of the Inhabitants of Sydney, against the continuance of State Aid for Religion, be printed.  
Question put and passed.  
Ordered to be printed.  
(2.) Dr. Lang moved, pursuant to notice, That the Petitions presented by him, for the Abolition of State Aid, from Kiama, Campbelltown, and Parramatta, respectively, be printed.  
Question put and passed.  
Ordered to be printed.  
(3.) Mr. Weekes moved, pursuant to notice standing in the name of Mr. Jones, No. 35 on the Notice Paper for to-day, That the Petition from Hinton, relative to the State Aid to Religion Abolition Bill, presented by Mr. Jones on the 8th of March, be printed.  
Question put and passed.  
Ordered to be printed.
41. Postponements :—  
(1.) The Resumption of the Adjourned Debate on Mr. Oxley's motion, "That the " Primary Education Encouragement Bill be now read a second time " postponed, on motion of Mr. Parkes, until Friday week.  
(2.) The consideration in Committee of Address for Funds for Experimental Quartz Crushing Machine postponed, on motion of Mr. Wisdom, until Friday week.  
(3.) The consideration in Committee of Address for Funds for National and Denominational Education postponed, on motion of Mr. Cape, (*after debate*) until Tuesday next.  
(4.) The second reading of the Lien on Wool Act Continuation Bill postponed, on motion of Mr. A. Campbell, until this day fortnight.  
(5.) The further consideration in Committee of the Necropolis Act Extension Bill postponed, on motion of Mr. Rotton, until Tuesday next.
42. Mount Keira Tramroad Bill, on motion of Mr. Garrett, read a second time ; ordered to be considered in Committee on Tuesday next.
43. Postponements :—  
(1.) The consideration in Committee of the Wesley College Bill postponed, on motion of Mr. Rotton, until Tuesday next.  
(2.) The second reading of the Freight and Charges Bill postponed, on motion of Mr. Parkes, until Tuesday next.  
(3.) The second reading of the Law of Primogeniture Abolition Bill postponed, on motion of Mr. Arnold, until Tuesday next.  
(4.) The second reading of the Public Ferries Law Amendment Bill postponed, on motion of Mr. Parkes, until Tuesday next.  
(5.) The second reading of the Bank Statements and Abstracts Regulation Bill postponed, on motion of Mr. Parkes, until Tuesday next.  
(6.) The second reading of the Capital Punishments Abolition Bill postponed, on motion of Mr. Parkes, until this day three weeks.  
(7.) The second reading of the State Aid to Religion Abolition Bill postponed, (*after debate*) on motion of Mr. Forster, until this day fortnight.  
(8.) The Resumption of the Committee of Ways and Means postponed, on motion of Mr. Weekes, until to-morrow week.  
(9.) The second reading of the Official Salaries Alteration Bill postponed, on motion of Mr. Forster, until this day fortnight.  
(10.) The resumption of the Committee of Supply postponed, on motion of Mr. Weekes, until to-morrow.  
(11.) The second reading of the Harbor, Pilotage, and Navigation Bill postponed, on motion of Mr. Weekes, until to-morrow fortnight.  
(12.) The second reading of the Public Lands Bill postponed, on motion of Mr. Black, until this day fortnight.  
(13.) The second reading of the Land Tax Bill postponed, on motion of Mr. Black, until this day fortnight.
- The House adjourned at eight minutes after Eight o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, APRIL 4.

*Contingent Notices of Motion :—*

1. MR. WEEKES to move (*in Committee of Supply*), That there be appropriated a sum not exceeding £78,000 to defray the expenses of the various Departments and Services of the Colony, for the month of April, 1860, at the rates sanctioned for the past year; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Public Works and Buildings, during the same month.
2. MR. PARKES to move, in Committee of Supply, (*on the Railway Estimates being taken into consideration*),—That Alexander Rhodes, Esq., Railway Contractor, Charles Fowler, Esq., Engineer under Messrs. Peto Brassey and Betts, Captain B. H. Martindale, Commissioner of Internal Communication, and John Whitton, Esq., Engineer-in-Chief of the Railway Department,—be examined at the Bar, on the construction and character of the Railway Works now in progress.

## GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Supply; Resumption of the Committee.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HAMILTON to move, That the Petition presented by him on 3rd April from the Inhabitants of Cooma, praying continuance of State Aid to Religion, be printed.
2. MR. HAY to move, That the Petition relative to the Seizure of Opium per "Kate Hooper," presented by him on the 29th February, be printed.
3. MR. PARKES to move, That the Message of His Excellency the Governor General in answer to the Address of this House, on the subject of Steam Communication between Sydney and Panama, be now taken into consideration.

*Questions :—*

1. MR. HAY to ask THE COLONIAL SECRETARY,—Whether Mr. Hargrave is to retain his Seat in the Legislative Council, or if his appointment be non-political and permanent?
2. MR. WILSON to ask THE SECRETARY FOR LANDS,—When the Government intend to settle the long pending dispute between the Miners and Messrs. Hassall and Roberts, by defining the boundary line between Mundy's grant of 870 acres, and the Government land in the valley of Araluen?
3. MR. MACLEAY to ask THE COLONIAL TREASURER,—If any official investigation has taken place relative to the circumstances which led to the suspension of Mr. G. H. Barney, Chief Inspector of Distilleries—and if so, the result of same; and if there has been no investigation, why not?
4. MR. HODGSON to ask THE HONORABLE THE PREMIER,—Will any reply be given to the Address to His Excellency the Governor General, adopted by this House on 10th February, on the subject of the suppressed Despatches relative to the Assessment on Runs Act.
5. MR. COOPER to ask THE SECRETARY FOR LANDS,—Whether it is the immediate intention of the Government to construct a line of Telegraph from Gundagai to Kiandra; and if so, what steps have been taken to perfect the same?
6. MR. COOPER to ask THE HONORABLE THE PREMIER,—
  - (1.) Whether the Ministry have received intelligence of the escape of a Chinaman from the Gaol at Braidwood, and of the very insecure state of that Gaol?
  - (2.) Whether instructions have been given to the Colonial Architect to visit and report on the state of the Braidwood Gaol; and if so, whether the Ministry have been furnished with that report, and what steps the Government have taken to render it fit for use as a Gaol?

THURSDAY, APRIL 5.

## GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. WEEKES to move for leave to bring in a Bill to indemnify the Government as to certain payments for the Public Service.

*Question :—*

1. MR. PARKES to ask THE SECRETARY FOR LANDS,—What steps the present Government intend to adopt in reference to the recent Address of this House on the subject of Steam Communication *via* the Isthmus of Panama.

TUESDAY, APRIL 10.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WINDEYER to move, That the Petition presented by him on the 3rd April, relative to the Land Tax Bill, be printed.  
MR. BROUGHTON to move for leave to bring in a Bill to legalise certain Municipal Elections, and to make provision for future Elections of Aldermen and Auditors for the City of Sydney.  
MR. GORDON to move, That the Petition presented by him on the 28th February, from Merchants and Importers of Sydney, against the Freight and Charges Bill, be printed.

4. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia, towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
5. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Nominal Return, with date, of all applications for orders in Bastardy, at the Central and Water Police Offices, in the City of Sydney; a Nominal Return, with date, of the cases in which orders were made, together with the weekly amounts ordered to be paid in each case, since the 1st of January, 1856.
6. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A Return of the number of Boards of Inquiry appointed since the establishment of Responsible Government.
  - (2.) A Return of the names of the Members of each Board respectively.
  - (3.) A statement of the subjects of inquiry, with copies of instructions and the result, in brief, of each case.
  - (4.) A statement of the number of days, and the number of hours in each day, during which each Board sat for the despatch of business.
  - (5.) A statement of the expense attending each inquiry, including allowances to the Members of the Board and other officials.
  - (6.) The Responsible Minister of the day under whose authority such expenses have been incurred.
7. MR. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.

ORDERS OF THE DAY :—

1. Sydney Council Debentures Bill ; second reading.
2. Funds for National and Denominational Education ; consideration in Committee of Address for.
3. Necropolis Act Extension Bill ; to be further considered in Committee.
4. Mount Keira Tramroad Bill ; to be considered in Committee.
5. Wesley College Bill ; to be considered in Committee.
6. Freight and Charges Bill ; second reading.
7. Law of Primogeniture Abolition Bill ; second reading.
8. Public Ferries Law Amendment Bill ; second reading.
9. Bank Statements and Abstracts Regulation Bill ; second reading.

Question :—

1. MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,—Whether it is the intention of the Government to do any repairs to that portion of the Main Southern Road situated between the 7th and 11th milestones, on the Sydney and Liverpool Road ; and if so, when ?

WEDNESDAY, APRIL 11.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Ways and Means ; Resumption of the Committee.

FRIDAY, APRIL 13.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HAY to move,—
  - (1.) That a Select Committee be appointed to take into consideration the various petitions presented to this House, relative to the Seizure of certain Opium on board the ship "Kate Hooper," and to inquire into and report upon the matter thereof, with power to send for persons and papers.
  - (2.) That such Committee consist of the following Members, viz. :—Mr. Parkes, Mr. Broughton, Mr. Gordon, Mr. Weekes, Mr. Morris, Mr. Wilson, Mr. Jenkins, Mr. Forster, Mr. Samuel, and the Mover.
2. MR. COOPER to move, That the Petition relative to State Aid to Religion, presented by him on the 3rd April, be printed.
3. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
4. MR. MCARTHUR to move for leave to introduce a Bill for the removal of the Toll-bar in Botany-street, Redfern, to a more suitable position.

ORDERS OF THE DAY :—

1. Primary Education Encouragement Bill ; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."
2. Funds for Experimental Quartz Crushing Machine ; consideration in Committee of Address for.

TUESDAY, ..

TUESDAY, APRIL 17.

*Contingent Notice of Motion :—*

1. MR. HODGSON to move (*upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read*),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. WILSON to move, That in the opinion of this House the Export Duty on Gold should not be levied after the 31st December, 1860.

ORDERS OF THE DAY :—

1. Lien on Wool Act Continuation Bill ; second reading.
2. State Aid to Religion Abolition Bill ; second reading.
3. Official Salaries Alteration Bill ; second reading.
4. Public Lands Bill ; second reading.
5. Land Tax Bill ; second reading.

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WEDNESDAY, APRIL 18.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Harbor, Pilotage, and Navigation Bill ; second reading.

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TUESDAY, APRIL 24.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Capital Punishments Abolition Bill ; second reading.

W. R. PIDDINGTON,  
*Deputy Speaker*

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[Price 6d.]

No. 75.

## VOTES AND PROCEEDINGS.

OF THE

## LEGISLATIVE ASSEMBLY.

WEDNESDAY, 4 APRIL, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Paper:—Mr. Robertson laid upon the Table the Return to the Address, in reference to Kiama Lands and Public Works, adopted, on the motion of Mr. Gray, on the 9th December 1859.  
 Ordered to be printed.
2. Special Roman Catholic Education:—Mr. Asher presented a Petition from certain Inhabitants of the District of Albury, in favor of the support of Special Roman Catholic Education.  
 Petition received.
3. Paper:—Mr. Robertson laid upon the Table the Annual Report of the Trustees of the Australian Museum (for 1859).  
 Ordered to be printed.
4. Supply:—Mr. Weekes,—moving that the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the Service of the year 1860,—made a statement on the Financial State of the Colony.  
 Debate ensued.
5. Member Sworn:—William Walker, Esquire, having taken the Oath and Subscribed the Roll, took his Seat as Member for the Electoral District of Windsor.
6. Inquests Concerning Fires Bill:—The Speaker reported the following Message from the Legislative Council:—  
 MR. SPEAKER,  
 The Legislative Council having this day passed a Bill, intituled, "*An Act to empower Coroners to hold Inquests concerning Fires,*" presents the same to the Legislative Assembly, for its concurrence.  
 Legislative Council Chamber,  
 Sydney, 4th April, 1860.  
 W. W. BURTON,  
 President.  
 Bill, on motion of Mr. Arnold, read a first time; ordered to be printed, and read a second time this day week.
7. Supply:—The Debate on the motion of Mr. Weekes, for the Resumption of this Committee (interrupted by the Proceedings recorded in Entries 5 and 6), resumed.  
 Question put and passed.  
 Whereupon the House resolved itself into the said Committee.  
 The Chairman reported that a Point of Order had arisen, which involved the following Questions, on which the Committee desired the opinion of the Speaker:—  
 (1.) Whether disorderly words, used during a Division, can be excepted to at once?  
 (2.) Whether (if not then excepted to) it be too late to except to them, *with a view to their being taken down*, after the Tellers have reported, and the Division has been declared?  
 The Speaker stated, that his view of the practice of Parliament, as laid down in May and other authorities, led him to the conclusion,—  
 (1.) That such exception can and ought to be taken at once, and during the Division.  
 (2.) That the exception, *with a view to the words being taken down*, could not be taken after some other proceeding had intervened, and consequently would come too late after the Division had been declared.  
 The Honorable Member for the Murrumbidgee, then, to whom the objectionable words alluded to had been attributed, having—to prevent any misconception of those words—repeated them,—  
 And certain Honorable Members excepting strongly to this repetition of them,—  
 And the Speaker, in the absence of any specific motion on the subject, confining his remarks to an expression of regret that the words had been used,—  
 Mr. A. Campbell moved, That this House do now adjourn until Three o'clock to-morrow.  
 Debate ensued.  
 (And the Honorable Member for the Murrumbidgee having withdrawn the words alluded to;)  
 Question put.

The

The House divided.

Ayes, 13.

Mr. Forster,  
Mr. Black,  
Mr. Samuel,  
Mr. Hamilton,  
Mr. Faucett,  
Mr. Mort,  
Mr. Jenkins,  
Mr. Roberts,  
Mr. A. Campbell,  
Mr. Hodgson,  
Mr. Macleay,  
Mr. Egan,  
Mr. Hurley. } Tellers.

Noes, 29.

Mr. Weekes, Mr. Wilson,  
Mr. Robertson, Mr. Gray,  
Mr. Lucas, Mr. Flett,  
Mr. Piddington, Mr. Close,  
Mr. Garrett, Mr. Jones,  
Mr. Wisdom, Mr. Dickson,  
Mr. Hoskins, Mr. Terry,  
Mr. Rotton, Mr. Walker,  
Mr. McArthur, Mr. Plunkett,  
Mr. Byrnes, Mr. Hay,  
Mr. Parkes, Mr. J. Campbell,  
Mr. Windeyer, Mr. Arnold,  
Mr. Atkinson, Mr. Morris, } Tellers.  
Mr. Gordon, Mr. Cooper,  
Mr. Wild,

The Committee then, on motion of Mr. Weekes, resumed.

The Chairman obtained leave to sit again to-morrow, and reported the following Resolutions:—

(49.) Resolved, that there be appropriated a sum not exceeding £78,000 to defray the expenses of the various Departments and Services of the Colony, for the month of April, 1860, at the rates sanctioned for the past year; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Public Works and Buildings, during the same month.

(50.) Resolved, that there be granted to Her Majesty, as an additional charge for the year 1860, a sum not exceeding £1,400, being amount equal to one year's salary of the Chief Justice of the Colony, to make provision for the performance of the duties of that office during the term of the leave of absence which Sir Alfred Stephen has applied for.

Mr. Weekes then moved, That this House do now adopt these Resolutions.

Question put and passed.

8. Adjournment:—Mr. Robertson moved, That this House do now adjourn until Three o'clock "to-morrow."

Mr. Byrnes moved, That the Question be amended, by the omission of the word "to-morrow," with a view to the insertion in its place of the words "on Wednesday next."

Debate ensued.

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

The House divided.

Ayes, 30.

Mr. Robertson, Mr. Plunkett,  
Mr. Weekes, Mr. Flett,  
Mr. Dickson, Mr. Atkinson,  
Mr. Wisdom, Mr. Piddington,  
Mr. Lucas, Mr. Jenkins,  
Mr. Garrett, Mr. Hodgson,  
Mr. Morris, Mr. Hoskins,  
Mr. Forster, Mr. Gordon,  
Mr. Hamilton, Mr. Black,  
Mr. Gray, Mr. Macleay,  
Mr. Close, Mr. Jones,  
Mr. Walker, Mr. Roberts,  
Mr. Windeyer, Mr. Arnold,  
Mr. Parkes, Mr. Rotton, } Tellers.  
Mr. A. Campbell, Mr. Cooper,

Noes, 8.

Mr. J. Campbell,  
Mr. Hay,  
Mr. Samuel,  
Mr. Byrnes,  
Mr. Hurley,  
Mr. Egan,  
Mr. Fancett, } Tellers.  
Mr. Mort,

Whereupon Original Question put and passed,—

And the House adjourned accordingly, at twenty minutes before Twelve o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, APRIL 5.

Contingent Notice of Motion:—

1. MR. PARKES to move, in Committee of Supply, (on the *Railway Estimates* being taken into consideration),—That Alexander Rhodes, Esq., Railway Contractor, Charles Fowler, Esq., Engineer under Messrs. Peto Brassey and Betts, Captain B. H. Martindale, Commissioner of Internal Communication, and John Whitton, Esq., Engineer-in-Chief of the Railway Department,—be examined at the Bar, on the construction and character of the Railway Works now in progress.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. WEEKES to move for leave to bring in a Bill to indemnify the Government as to certain payments for the Public Service.

ORDER

## ORDER OF THE DAY:—

1. Supply; Resumption of the Committee.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PLUNKETT to move, That the Despatches of the Governor General, with the replies of the Secretary of State, and other papers laid upon the Table of this House on 10th February last, respecting the claims of Mr. Croft to compensation from the Government, be printed.
2. MR. ASHER to move, That the Petition presented by him on the 4th April, relative to Roman Catholic Education, be printed.
3. MR. HAMILTON to move, That the Petition presented by him on 3rd April, from the Inhabitants of Cooma, praying continuance of State Aid to Religion, be printed.
4. MR. HAY to move, That the Petition relative to the Seizure of Opium per "Kate Hooper," presented by him on the 29th February, be printed.
5. MR. PARKES to move, That the Message of His Excellency the Governor General in answer to the Address of this House, on the subject of Steam Communication between Sydney and Panama, be now taken into consideration.

## Questions:—

1. MR. PARKES to ask THE SECRETARY FOR LANDS,—What steps the present Government intend to adopt in reference to the recent Address of this House on the subject of Steam Communication *via* the Isthmus of Panama.
2. MR. DARVALL to ask THE HONORABLE THE PREMIER,—What correspondence has taken place between the Government of this Colony and that of Queensland, relative to the payment of the Common Debt of these Colonies?

## TUESDAY, APRIL 10.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. WINDEYER to move, That the Petition presented by him on the 3rd April, relative to the Land Tax Bill, be printed.
2. MR. BROUGHTON to move for leave to bring in a Bill to legalise certain Municipal Elections, and to make provision for future Elections of Aldermen and Auditors for the City of Sydney.
3. MR. GORDON to move, That the Petition presented by him on the 28th February, from Merchants and Importers of Sydney, against the Freight and Charges Bill, be printed.
4. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia, towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
5. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Nominal Return, with date, of all applications for orders in Bastardy, at the Central and Water Police Offices, in the City of Sydney; a Nominal Return, with date, of the cases in which orders were made, together with the weekly amounts ordered to be paid in each case, since the 1st of January, 1856.
6. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
  - (1.) A Return of the number of Boards of Inquiry appointed since the establishment of Responsible Government.
  - (2.) A Return of the names of the Members of each Board respectively.
  - (3.) A statement of the subjects of inquiry, with copies of instructions and the result, in brief, of each case.
  - (4.) A statement of the number of days, and the number of hours in each day, during which each Board sat for the despatch of business.
  - (5.) A statement of the expense attending each inquiry, including allowances to the Members of the Board and other officials.
  - (6.) The Responsible Minister of the day under whose authority such expenses have been incurred.
7. MR. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.
8. MR. PLUNKETT to move, for leave to bring in a Bill to enable the Municipal Council of Sydney to substitute for their present site a more convenient site for a Town Hall.

## ORDERS OF THE DAY:—

1. Sydney Council Debentures Bill; second reading.
2. Funds for National and Denominational Education; consideration in Committee of Address for.
3. Necropolis Act Extension Bill; to be further considered in Committee.
4. Mount Keira Tramroad Bill; to be considered in Committee.
5. Wesley College Bill; to be considered in Committee.
6. Freight and Charges Bill; second reading.
7. Law of Primogeniture Abolition Bill; second reading.
8. Public Ferries Law Amendment Bill; second reading.
9. Bank Statements and Abstracts Regulation Bill; second reading.

## Questions:—

*Questions :—*

1. **MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,**—Whether it is the intention of the Government to do any repairs to that portion of the Main Southern Road situated between the 7th and 11th milestones, on the Sydney and Liverpool Road; and if so, when?
2. **MR. HOSKINS to ask THE SECRETARY FOR LANDS,**—
  - (1.) Whether the Government are aware that the land in the vicinity of Casino, Richmond River, is, from its agricultural capabilities, and the advantages of water communication with Sydney, eminently adapted for the settlement of a large population?
  - (2.) Whether it is the intention of the Government to have surveyed and put up for sale, land suitable for farms in that locality?
3. **MR. HOSKINS to ask THE SECRETARY FOR LANDS,**—
  - (1.) Whether the Government are aware that the Township of Casino, Richmond River, is enclosed by a paddock fence, and that the ingress and egress to that Township has been obstructed by such inclosure, and that persons have been fined for leaving the slip-rails down when crossing the public highway to that Township?
  - (2.) Whether it is the intention of the Government to take steps for the removal of such obstructions?
4. **MR. HOSKINS to ask THE SECRETARY FOR LANDS,**—
  - (1.) Whether the Government are aware that the land in the vicinity of Lismore, Richmond River, is, from its agricultural capabilities, eminently adapted for the settlement of a large population?
  - (2.) Whether it is the intention of the Government to have surveyed and put up for sale, land suitable for farms in that locality?
  - (3.) Whether the Government have reserved any land as commonage for the use of the Inhabitants of Lismore, Richmond River; if so, what quantity?
5. **MR. HOSKINS to ask THE SECRETARY FOR LANDS,**—
  - (1.) Whether the Government are aware that the land in the vicinity of Codrington, Richmond River, is, from its agricultural capabilities, eminently adapted for the settlement of a large population?
  - (2.) Whether it is the intention of the Government to have surveyed and put up for sale, land suitable for farms in that locality?
  - (3.) Whether the Government have reserved any land as commonage for the use of the Inhabitants of that Township; if so, what quantity?
6. **MR. HOSKINS to ask THE SECRETARY FOR LANDS,**—
  - (1.) Whether the Government are aware that the land in the vicinity of Wyangarra, Richmond River, is, from its agricultural capabilities, eminently adapted for the settlement of a large population?
  - (2.) Whether it is the intention of the Government to reserve land suitable for a Township and farms in that locality?
7. **MR. HOSKINS to ask THE SECRETARY FOR LANDS,**—
  - (1.) Whether the Government are aware that the land in the vicinity of Fairy Mount, Richmond River, is, from its agricultural capabilities, eminently adapted for the settlement of a large population?
  - (2.) Whether it is the intention of the Government to reserve land suitable for a Township and farms in that locality?
8. **MR. HOSKINS to ask THE SECRETARY FOR LANDS,**—Whether the Police Force upon the Gold Fields, are provided with fuel and forage; if so, whether the Gold Commissioners are permitted to give compensation in money, in lieu of such allowance?
9. **MR. HOSKINS to ask THE SECRETARY FOR LANDS,**—Whether it is the intention of the Government to proclaim Polling Places at Stations in the interior of the Colony, Town Reserves?

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**WEDNESDAY, APRIL 11.****GOVERNMENT BUSINESS—ORDER OF THE DAY :—**

1. Ways and Means; Resumption of the Committee.

**OTHER BUSINESS—ORDER OF THE DAY :—**

1. Inquests on Fires Bill; second reading.

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**FRIDAY, APRIL 13.****OTHER BUSINESS—NOTICES OF MOTION :—**

1. **MR. HAY to move,**—
  - (1.) That a Select Committee be appointed to take into consideration the various petitions presented to this House, relative to the Seizure of certain Opium on board the ship "Kate Hooper," and to inquire into and report upon the matter thereof, with power to send for persons and papers.
  - (2.) That such Committee consist of the following Members, viz. :—Mr. Parkes, Mr. Broughton, Mr. Gordon, Mr. Weekes, Mr. Morris, Mr. Wilson, Mr. Jenkins, Mr. Forster, Mr. Samuel, and the Mover.
2. **MR. COOPER to move,** That the Petition relative to State Aid to Religion, presented by him on the 3rd April, be printed.



3. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
4. MR. MCARTHUR to move for leave to introduce a Bill for the removal of the Toll-bar in Botany-street, Redfern, to a more suitable position.
5. MR. HODGSON to move,—
  - (1.) That the circumstance of no answer having been returned to the Address of this House to His Excellency the Governor General, agreed to on 10th February last, and communicating the following Resolution, namely,—
 

“(1.) That this House having lately discovered with regret, that the Despatch of Earl Carnarvon, dated 9 April, 1859, relative to the Assessment on Runs Act, was not communicated to this House on its arrival in the Colony, feels bound to express its disapproval of a course of proceeding which has had the effect of keeping this House and the Colony so long in ignorance of the real position of the above Act, and the intention of the Imperial Government respecting it.

“(2.) That the above Resolution be embodied in an Address to His Excellency the Governor General.”

is not satisfactory to this House.
  - (2.) That this House re-affirms the aforesaid Resolution, and respectfully requests that such an answer may be returned, as may convey to this House, an assurance that the proceeding of which this House has expressed its *marked disapproval*, may not be in future repeated.
  - (3.) That the above Resolutions be communicated by Address to His Excellency the Governor General.

ORDERS OF THE DAY :—

1. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, “That this Bill be now read a second time.”
2. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.

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TUESDAY, APRIL 17.

Contingent Notice of Motion :—

1. MR. HODGSON to move (*upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read*),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. WILSON to move, That in the opinion of this House the Export Duty on Gold should not be levied after the 31st December, 1860.

ORDERS OF THE DAY :—

1. Lien on Wool Act Continuation Bill; second reading.
2. State Aid to Religion Abolition Bill; second reading.
3. Official Salaries Alteration Bill; second reading.
4. Public Lands Bill; second reading.
5. Land Tax Bill; second reading.

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WEDNESDAY, APRIL 18.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Harbor, Pilotage, and Navigation Bill; second reading.

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TUESDAY, APRIL 24.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Capital Punishments Abolition Bill; second reading.

T. A. MURRAY,  
Speaker.



No. 76.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

THURSDAY, 5 APRIL, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
State Aid to Religion;—Mr. Atkinson presented a Petition from certain Inhabitants of the District of Liverpool, against the withdrawal of State Aid to Religion.  
Petition received.
2. Indemnity Bill:—Mr. Weekes moved, pursuant to notice, for leave to bring in a Bill to Indemnify the Government as to certain Payments for the Public Service.  
Debate ensued.  
Question put and passed; *Ordered*, That the Mover and Secunder prepare and bring in the Bill.
3. Leave of absence, for a fortnight, granted to,—  
(1.) Mr. Laycock, on motion of Dr. Lang.  
(2.) Mr. Lord, on motion of Mr. Robertson.
4. Paper:—Steam Postal Service:—Mr. Robertson (*with reference to the Question standing in the name of Mr. Parkes, No. 1 on the Notice Paper for to-day, and just asked by the Honorable Member*) laid upon the Table Proceedings of the Executive Council, dated 2nd April, 1860, on the subject of Steam Postal Communication with England.  
And the same, having been read at length by the Clerk,—  
*Ordered* to be printed.
5. Indemnity Bill:—Mr. Weekes having presented this Bill, Bill intituled, "*A Bill to Indemnify the Government as to certain Payments for the Public Service,*" read a first time; *ordered* to be printed, and read a second time on Wednesday next.
6. Supply:—On motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty for the Service of the year 1859-60.  
The Chairman reported progress, and obtained leave to sit again at a later hour of the day.
7. Troops for New Zealand:—The following Message from His Excellency the Governor General received and read:—  
W. DENISON, *Message No. 30.*  
*Governor General.*  
The Governor General informs the Legislative Assembly that Despatches having been received from the Government of New Zealand, requesting that as large a reinforcement of Troops as can be spared from the Australian Colonies should be forthwith despatched to New Zealand, His Excellency has communicated the substance of these Despatches to the Major General in Command, with the expression of an opinion that a Force consisting of 125 men of the 12th Regiment, 40 Artillery, and 6 Sappers, may be temporarily detached from the Colony of New South Wales for the service in question.  
*Government House,*  
*5th April, 1860.*  
And the same having been read at length by the Clerk,—  
Mr. Robertson moved, That the Message of His Excellency the Governor General, just read, be printed.  
Debate ensued.  
Question put and passed.  
*Ordered* to be printed.
8. Supply:—On motion of Mr. Arnold, the Committee resumed.  
The Chairman reported the following Point of Order:—  
The Railway Estimates being about to be considered, Mr. Parkes was proceeding to make the Contingent Motion standing in his name, No. 1, on the Notice Paper for to-day, viz.:—That Alexander Rhodes, Esq., Railway Contractor, Charles Fowler, Esq., Engineer under Messrs. Peto Brassey and Betts, Captain B. H. Martindale, Commissioner of Internal Communication, and John Whitton, Esq., Engineer-in-Chief of the Railway Department,—be examined at the Bar, on the construction and character of the Railway Works now in progress;—

But

But that Mr. Martin had raised an objection to the motion, on the ground of irregularity, quoting May (4th edition, pages 347-8), to shew that—while important inquiries have sometimes been intrusted to Committees of the whole House under special instructions—deliberation, and not inquiry, is the ordinary function of such Committees; and had carried a motion for reference to the House of the question—whether witnesses can be examined in a Committee of the whole without the express instruction of the House.

The Speaker, while admitting that the course pursued by Mr. Parkes was strictly in accordance with the previous practice of this House, stated that that course was evidently, from the authority quoted, and from the Journals of the House of Commons into which he had looked, at variance with the practice of the Imperial Parliament, which this House was bound by its first Standing Order to follow, in all cases not specially otherwise provided for; and that therefore, in his opinion, the objection taken by Mr. Martin ought to be sustained.

The Speaker then stated that, in his opinion, the proper course to be pursued in the examination of witnesses in a Committee of the whole, would be, under special instructions given by the House anterior to its resolving itself into Committee, on motion upon previous notice,—as a Committee had no power to do anything which it was not empowered or instructed by the House to do.

On motion of Mr. Weekes, the Committee resumed.

And the Committee continuing to sit till after Midnight,—

FRIDAY, 6 APRIL, 1860. A.M.

The Chairman having reported that, upon a Division in the Committee, it was discovered that there was not a Quorum present, the House was counted and there being twenty Members present exclusive of the Speaker;—

Mr. Martin moved, that this House do now adjourn until Tuesday next, at Three o'clock.

Question put,—

The House divided.

Ayes, 19.

Mr. Arnold,	Mr. Lyons,	
Mr. Robertson,	Mr. A. Campbell,	
Mr. Weekes,	Mr. Piddington,	
Mr. Forster,	Mr. Flett,	
Mr. Black,	Mr. Rotton,	
Mr. Hamilton,	Mr. Wisdom,	
Mr. Gordon,	Mr. Martin,	
Mr. Gray,	Mr. Lucas,	} Tellers.
Mr. Hay,	Mr. Morris,	
Mr. Hoskins,		

Noes, 2.

Mr. Parkes,	} Tellers.
Mr. Terry,	

The House adjourned accordingly, at fifteen minutes after Twelve o'clock, until Tuesday next, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, APRIL 10.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WINDEYER to move, That the Petition presented by him on the 3rd April, relative to the Land Tax Bill, be printed.
2. MR. BROUGHTON to move for leave to bring in a Bill to legalise certain Municipal Elections, and to make provision for future Elections of Aldermen and Auditors for the City of Sydney.
3. MR. GORDON to move, That the Petition presented by him on the 28th February, from Merchants and Importers of Sydney, against the Freight and Charges Bill, be printed.
4. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia, towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
5. MR. WINDEYER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Nominal Return, with date, of all applications for orders in Bastardy, at the Central and Water Police Offices, in the City of Sydney; a Nominal Return, with date, of the cases in which orders were made, together with the weekly amounts ordered to be paid in each case, since the 1st of January, 1856.
6. MR. CAPE to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A Return of the number of Boards of Inquiry appointed since the establishment of Responsible Government.
  - (2.) A Return of the names of the Members of each Board respectively.
  - (3.) A statement of the subjects of inquiry, with copies of instructions and the result, in brief, of each case.

(4.)

- (4.) A statement of the number of days, and the number of hours in each day, during which each Board sat for the despatch of business.
- (5.) A statement of the expense attending each inquiry, including allowances to the Members of the Board and other officials.
- (6.) The Responsible Minister of the day under whose authority such expenses have been incurred.
7. MR. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.
8. MR. PLUNKETT to move, for leave to bring in a Bill to enable the Municipal Council of Sydney to substitute for their present site a more convenient site for a Town Hall.
9. MR. PARKES to move,—
- (1.) That the Petition of Thomas Rowntree, presented by Mr. Parkes,—the Petition of certain Merchants, Shipowners, and others, presented by Dr. Lang,—and the Petition of John Cuthbert, presented by Mr. Parkes, respecting the practice of letting the Fitz Roy Graving Dock at Cockatoo Island,—be referred for the consideration of a Select Committee, with instruction to inquire into and report upon the general subject.
- (2.) That such Committee consist of Mr. Arnold, Mr. Alexander Campbell, Mr. Egan, Mr. Gordon, Mr. Hodgson, Mr. Jones, Dr. Lang, Mr. Samuel, Mr. Walker, and the Mover.
10. MR. PARKES to move, That the Petition presented by him on the 3rd April, from John Cuthbert, be printed.
11. MR. PARKES to move, That the Petition presented by him on the 3rd April, from the Licensed Hawkers, be printed.
12. MR. PLUNKETT to move, That the Despatches of the Governor General, with the replies of the Secretary of State, and other papers laid upon the Table of this House on 10th February last, respecting the claims of Mr. Croft to compensation from the Government, be printed.
13. MR. ASHER to move, That the Petition presented by him on the 4th April, relative to Roman Catholic Education, be printed.
14. MR. HAMILTON to move, That the Petition presented by him on 3rd April, from the Inhabitants of Cooma, praying continuance of State Aid to Religion, be printed.
15. MR. HAY to move, That the Petition relative to the Seizure of Opium per "Kate Hooper," presented by him on the 29th February, be printed.
16. MR. PARKES to move, That the Message of His Excellency the Governor General in answer to the Address of this House, on the subject of Steam Communication between Sydney and Panama, be now taken into consideration.

#### ORDERS OF THE DAY :—

1. Sydney Council Debentures Bill ; second reading.
2. Funds for National and Denominational Education ; consideration in Committee of Address for.
3. Necropolis Act Extension Bill ; to be further considered in Committee.
4. Mount Keira Tramroad Bill ; to be considered in Committee.
5. Wesley College Bill ; to be considered in Committee.
6. Freight and Charges Bill ; second reading.
7. Law of Primogeniture Abolition Bill ; second reading.
8. Public Ferries Law Amendment Bill ; second reading.
9. Bank Statements and Abstracts Regulation Bill ; second reading.

#### Questions :—

1. MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,—Whether it is the intention of the Government to do any repairs to that portion of the Main Southern Road situated between the 7th and 11th milestones, on the Sydney and Liverpool Road ; and if so, when ?
2. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—

  - (1.) Whether the Government are aware that the land in the vicinity of Casino, Richmond River, is, from its agricultural capabilities, and the advantages of water communication with Sydney, eminently adapted for the settlement of a large population ?
  - (2.) Whether it is the intention of the Government to have surveyed and put up for sale, land suitable for farms in that locality ?

3. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—

  - (1.) Whether the Government are aware that the Township of Casino, Richmond River, is enclosed by a paddock fence, and that the ingress and egress to that Township has been obstructed by such inclosure, and that persons have been fined for leaving the slip-rails down when crossing the public highway to that Township ?
  - (2.) Whether it is the intention of the Government to take steps for the removal of such obstructions ?

4. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—

  - (1.) Whether the Government are aware that the land in the vicinity of Lismore, Richmond River, is, from its agricultural capabilities, eminently adapted for the settlement of a large population ?
  - (2.) Whether it is the intention of the Government to have surveyed and put up for sale, land suitable for farms in that locality ?
  - (3.) Whether the Government have reserved any land as commonage for the use of the Inhabitants of Lismore, Richmond River ; if so, what quantity ?

5. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—

  - (1.) Whether the Government are aware that the land in the vicinity of Codrington, Richmond River, is, from its agricultural capabilities, eminently adapted for the settlement of a large population ?

- (2.) Whether it is the intention of the Government to have surveyed and put up for sale, land suitable for farms in that locality?
- (3.) Whether the Government have reserved any land as commonage for the use of the Inhabitants of that Township; if so, what quantity?
6. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—
- (1.) Whether the Government are aware that the land in the vicinity of Wyangara, Richmond River, is, from its agricultural capabilities, eminently adapted for the settlement of a large population?
- (2.) Whether it is the intention of the Government to reserve land suitable for a Township and farms in that locality?
7. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—
- (1.) Whether the Government are aware that the land in the vicinity of Fairy Mount, Richmond River, is, from its agricultural capabilities, eminently adapted for the settlement of a large population?
- (2.) Whether it is the intention of the Government to reserve land suitable for a Township and farms in that locality?
8. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether the Police Force upon the Gold Fields, are provided with fuel and forage; if so, whether the Gold Commissioners are permitted to give compensation in money, in lieu of such allowance?
9. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to proclaim Polling Places at Stations in the interior of the Colony, Town Reserves?
10. MR. PARKES to ask THE SECRETARY FOR PUBLIC WORKS,—Whether the Contractor for the erection of the Lock-up and Court House at Glen Innes has been paid by the Government, and whether any means of inspection were adopted to see that the work was executed according to the specifications and terms of contract?
11. MR. LYONS to ask THE SECRETARY FOR LANDS,—Whether the Government contemplate carrying out the improvements and repairs at the Dam at Cook's River, as recommended in the Report issued from the Colonial Architect's Office after a survey of that public work?
12. MR. LYONS to ask THE SECRETARY FOR PUBLIC WORKS,—When the Government intend inviting Tenders for the construction of the Bridge from Pyrmont to Glebe Island?
13. MR. ROTTON to ask THE SECRETARY FOR PUBLIC WORKS,—Does the Government intend to open a Telegraph Office at Hartley—if so, when; if not, for what reason?
14. MR. CAPE to ask THE SECRETARY FOR PUBLIC WORKS,—
- (1.) Is it the intention of the Government to postpone the introduction of a Bill for establishing a better system of Prison Discipline, and the improvement of the Gaols, especially those in the interior of the Colony?
- (2.) Upon what plan, and on the recommendation of what Architect, are the Gaols and Offices now in course of erection to be completed?
- (3.) Are the prisoners in Darlinghurst Gaol employed in the completion of the buildings on the old plan, or on a plan more in accordance with the improved system of Gaol buildings?
- (4.) Have the proceeds of prison labor, in Parramatta Gaol, fallen from £2,000 per annum in 1856, to less than £200 per annum in 1859?
- (5.) Will the Government lay upon the Table of this Assembly, the Report of the Board recently appointed for the purpose of inquiry into the affairs of Parramatta Gaol?
15. MR. MARTIN to ask THE COLONIAL TREASURER,—Whether it is the intention of the Government to submit any measure to Parliament for the revision of the Tariff?

#### WEDNESDAY, APRIL 11.

##### Contingent Notice of Motion :—

1. MR. MARTIN to move, (on the reading of the Order of the Day for the Resumption of the Committee of Supply,)—
- (1.) That so much of the resolution passed by this House on the 4th April instant, as adopted the resolution of the Committee of Supply, "that there be granted to Her Majesty as an additional charge for the year 1860, a sum not exceeding £1,400 being amount equal to one year's salary of the Chief Justice of the Colony, to make provision for the performance of the duties of that office during the term of the leave of absence which Sir Alfred Stephen has applied for," be rescinded.
- (2.) That the said resolution of the Committee of Supply be referred back to it for further consideration.

##### GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Ways and Means; Resumption of the Committee.
2. Indemnity Bill; second reading.
3. Supply; Resumption of the Committee.

##### OTHER BUSINESS—ORDER OF THE DAY :—

1. Inquests concerning Fires Bill; second reading.

##### Questions :—

1. MR. WALKER to ask THE SECRETARY FOR PUBLIC WORKS,—
  - (1.) When the Electric Telegraph Station at Windsor will be opened for public use?
  - (2.) What is the cause of the delay in the opening of such Telegraph Station?
2. MR. WALKER to ask THE SECRETARY FOR PUBLIC WORKS,—
  - (1.) If it be true that the Surveying Party of the Valley of the Grose has been withdrawn?
  - (2.) If so, what is the cause of such withdrawal?

FRIDAY,

FRIDAY, APRIL 13.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HAY to move,—  
 (1.) That a Select Committee be appointed to take into consideration the various petitions presented to this House, relative to the Seizure of certain Opium on board the ship "Kate Hooper," and to inquire into and report upon the matter thereof, with power to send for persons and papers.  
 (2.) That such Committee consist of the following Members, viz.:—Mr. Parkes, Mr. Broughton, Mr. Gordon, Mr. Weekes, Mr. Morris, Mr. Wilson, Mr. Jenkins, Mr. Forster, Mr. Samuel, and the Mover.
2. MR. COOPER to move, That the Petition relative to State Aid to Religion, presented by him on the 3rd April, be printed.
3. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000; to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
4. MR. McARTHUR to move for leave to introduce a Bill for the removal of the Toll-bar in Botany-street, Redfern, to a more suitable position.
5. MR. HODGSON to move,—  
 (1.) That the circumstance of no answer having been returned to the Address of this House to His Excellency the Governor General, agreed to on 10th February last, and communicating the following Resolution, namely,—  
 " (1.) That this House having lately discovered with regret, that the Despatch of Earl Carnarvon, dated 9 April, 1859, relative to the Assessment on Runs Act, was  
 " not communicated to this House on its arrival in the Colony, feels bound to  
 " express its disapproval of a course of proceeding which has had the effect of  
 " keeping this House and the Colony so long in ignorance of the real position of  
 " the above Act, and the intention of the Imperial Government respecting it.  
 " (2.) That the above Resolution be embodied in an Address to His Excellency the  
 " Governor General."  
 is not satisfactory to this House.  
 (2.) That this House re-affirms the aforesaid Resolution, and respectfully requests that such an answer may be returned, as may convey to this House, an assurance that the proceeding of which this House has expressed its *marked disapproval*, may not be in future repeated.  
 (3.) That the above Resolutions be communicated by Address to His Excellency the Governor General.

## ORDERS OF THE DAY :—

1. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."
2. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.

TUESDAY, APRIL 17.

## Contingent Notice of Motion :—

1. MR. HODGSON to move (*upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read*),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

## OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. WILSON to move, That in the opinion of this House the Export Duty on Gold should not be levied after the 31st December, 1860.

## ORDERS OF THE DAY :—

1. Lien on Wool Act Continuation Bill; second reading.
2. State Aid to Religion Abolition Bill; second reading.
3. Official Salaries Alteration Bill; second reading.
4. Public Lands Bill; second reading.
5. Land Tax Bill; second reading.

WEDNESDAY, APRIL 18.

## OTHER BUSINESS—ORDER OF THE DAY :—

1. Harbor, Pilotage, and Navigation Bill; second reading.

TUESDAY, APRIL 24.

## OTHER BUSINESS—ORDER OF THE DAY :—

1. Capital Punishments Abolition Bill; second reading.

T. A. MURRAY,  
Speaker.





No. 77.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

TUESDAY, 10 APRIL, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Mount Keira Tramroad Bill:—Mr. Darvall presented a Petition from Charles Throsby Smith, of Wollongong, praying that this Bill may not pass, and that he may be allowed to give evidence concerning it.  
Petition received.
2. Returning Officer, New England:—Mr. Darvall presented a Petition from certain Inhabitants of the District of New England, praying that the Petition of Thomas George Rusden, Esquire, presented to this House (on the 22nd December last), may be so considered as to afford the Petitioners an opportunity of refuting certain allegations stated to have been circulated against the Returning Officer of New England, relative to the late Election for that District.  
Petition received.
3. Vacant Seat:—The Speaker having reported that he had just received a letter from Richard Jones, Esquire, resigning his Seat as Member for the Electoral District of The Hunter,—  
Mr. Robertson moved, That the Seat of Richard Jones, Esquire, as Member for the Electoral District of The Hunter, hath become and is now vacant, by reason of the Resignation thereof by the said Richard Jones, Esquire.  
Question put and passed.
4. Working of Sydney Municipal Council:—Mr. Broughton, as Chairman, brought up a Progress Report from, and laid upon the Table the Minutes of Evidence taken before, the Select Committee on the Working of the Sydney Municipal Council, in reference to payment for Land resumed for water purposes.  
Ordered to be printed.
5. Land Tax Bill:—Mr. Windeyer moved, pursuant to notice, That the Petition presented by him on the 3rd April, relative to the Land Tax Bill, be printed.  
Question put and passed.  
Ordered to be printed.
6. Sydney Municipal Elections Bill:—Mr. Broughton moved, pursuant to notice, for leave to bring in a Bill to legalise certain Municipal Elections, and to make provision for future Elections of Aldermen and Auditors for the City of Sydney.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
7. Freight and Charges Bill:—Mr. Gordon moved, pursuant to *amended* notice, That the Petition presented by him on the 28th February, from certain Merchants and Traders of Sydney, against the Freight and Charges Bill, be printed.  
Question put and passed.  
Ordered to be printed.
8. Postponement:—Dr. Ling postponed the motion standing in his name No. 4 on the Notice Paper for to-day, until Friday next.
9. Sydney Municipal Elections Bill:—Mr. Broughton having presented this Bill, Bill, intituled, "*A Bill to legalise certain Sydney Municipal Elections, and to make provision for future Elections of Aldermen and Auditors for the said City of Sydney,*" read a first time; *ordered* to be printed, and read a second time on Tuesday next.
10. Orders in Bastardy:—Mr. Windeyer moved, pursuant to *amended* notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return, with date, of all applications for orders in Bastardy, at the Central and Water Police Offices, in the City of Sydney; a Return, with date, of the cases in which orders were made, together with the weekly amounts ordered to be paid in each case, since the 1st of January, 1850; the Returns to specify the names in each case where persons have been in the receipt of two or more payments.  
Question put and passed.

11. **Boards of Inquiry :—**Mr. Cape moved, pursuant to *amended* notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A Return of the number of Boards of Inquiry appointed since the establishment of Responsible Government.
  - (2.) A Return of the names of the Members of each Board respectively.
  - (3.) A statement of the subjects of inquiry, with copies of instructions and the result, in brief, of each case.
  - (4.) A statement of the number of Witnesses examined, and the number of days, and the number of hours in each day, during which each Board sat for the despatch of business.
  - (5.) A statement of the expense attending each inquiry, including allowances to the Members of the Board and other officials.
  - (6.) The Responsible Minister of the day under whose authority such expenses have been incurred.
 Debate ensued.  
 Question put and passed.
12. **Proposed Chinese Immigration Bill :—**Mr. Lucas moved, pursuant to notice, for leave to introduce a Bill to regulate Chinese Immigration.  
 Debate ensued.  
 Motion by leave withdrawn.
13. **Proposed Town Hall Site Exchange Bill :—**Mr. Plunkett moved, pursuant to notice, for leave to bring in a Bill to enable the Municipal Council of Sydney to substitute for their present site a more convenient site for a Town Hall.  
 The Speaker stating that, in his opinion, the proposed Bill should be considered as a Private one, and introduced upon Petition in the usual manner provided for the introduction of Private Bills,—  
 Motion by leave withdrawn.
14. **Fitz Roy Dry Dock :—**
  - (1.) Mr. Parkes moved, pursuant to *amended* notice,—
    - (1.) That the Petition of Thomas Rowntree, presented by Mr. Parkes,—the Petition of certain Merchants, Shipowners, and others, presented by Dr. Lang,—and the Petition of John Cuthbert, presented by Mr. Parkes, respecting the practice of letting the Fitz Roy Graving Dock at Cockatoo Island,—be referred for the consideration of a Select Committee, with instruction to inquire into and report upon the general subject.
    - (2.) That such Committee consist of Mr. Arnold, Mr. Alexander Campbell, Mr. Egan, Mr. Gordon, Mr. Hodgson, Mr. Black, Dr. Lang, Mr. Samuel, Mr. Walker, and the Mover.
 And Mr. Hoskins requiring that the proposed Committee be appointed by Ballot,—  
 Question,—(1.) That the Petition of Thomas Rowntree, presented by Mr. Parkes,—the Petition of certain Merchants, Shipowners, and others, presented by Dr. Lang,—and the Petition of John Cuthbert, presented by Mr. Parkes, respecting the practice of letting the Fitz Roy Graving Dock at Cockatoo Island,—be referred for the consideration of a Select Committee, with instruction to inquire into and report upon the general subject,—put and passed.  
 Whereupon the House proceeded to the Ballot, and the Speaker declared the following Members to be the Committee duly appointed :—Mr. Hoskins, Mr. Arnold, Mr. A. Campbell, Mr. Gordon, Mr. Parkes, Mr. Egan, Dr. Lang, Mr. Hodgson, Mr. Walker, and Mr. Samuel.
  - (2.) Mr. Parkes moved, pursuant to notice, That the Petition presented by him on the 3rd April, from John Cuthbert, be printed.  
 Question put and passed.  
 Ordered to be printed.
15. **Licensed Hawkers :—**Mr. Parkes moved pursuant to notice, That the Petition presented by him on the 3rd April, from the Licensed Hawkers, be printed.  
 Question put and passed.  
 Ordered to be printed.
16. **Mr. Jonathan Croft :—**Mr. Plunkett moved, pursuant to notice, That the Despatches of the Governor General, with the replies of the Secretary of State, and other papers laid upon the Table of this House on 10th February last, respecting the claims of Mr. Croft to compensation from the Government, be printed.  
 Question put and passed.  
 Ordered to be printed.
17. **Special Roman Catholic Education :—**Mr. Asher moved, pursuant to notice, That the Petition presented by him on the 4th April, relative to Roman Catholic Education, be printed.  
 Question put and passed.  
 Ordered to be printed.
18. **State Aid to Religion :—**Mr. Hamilton moved, pursuant to notice, That the Petition presented by him on 3rd April, from the Inhabitants of Cooma, praying continuance of State Aid to Religion, be printed.  
 Question put and passed.  
 Ordered to be printed.
19. **Postponement :—**Mr. Samuel postponed the motion standing in the name of Mr. Hay, No. 15 on the Notice Paper for to-day, until Friday next.

20. Motion Withdrawn :—Mr. Parkes withdrew the motion standing in his name No. 16 on the Notice Paper for to-day.
21. Sydney Council Debentures Bill, on motion of Mr. Plunkett, read a second time;—Ordered to be considered in Committee on Friday next.
22. Funds for National and Denominational Education :—On motion of Mr. Cape, the Speaker left the Chair, and the House resolved itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate an additional sum of £15,000 in aid of National Education for the year 1860, and a similar sum for Denominational Education for 1860.  
The Chairman reported, that the Committee had agreed to the following Resolution :—  
Resolved, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate, an additional sum of £5,000 in Aid of National Education for the year 1860, and a similar sum for Denominational Education for 1860.  
Mr. Cape then moved, That this House do now adopt this Resolution.  
Question put and passed.
23. Postponement :—The further consideration in Committee of the Necropolis Act Extension Bill, postponed, on motion of Mr. Byrnes, until Tuesday next.
24. Mount Keira Tramroad Bill :—On motion of Mr. Garrett, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, for the consideration of this Bill.  
The Chairman reported No Progress, and obtained leave to sit again on Tuesday next.
25. Wesley College Bill :—On motion of Mr. Byrnes, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, for the consideration of this Bill.  
The Chairman having reported the Bill with an amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time on Friday next.
26. Postponements :—  
(1.) The second reading of the Freight and Charges Bill postponed, on motion of Mr. Parkes, until Friday next.  
(2.) The second reading of the Law of Primogeniture Abolition Bill postponed, on motion of Mr. Arnold, until Friday next.  
(3.) The second reading of the Public Ferries Law Amendment Bill postponed, on motion of Mr. Darvall, (after debate) until this day week.  
(4.) The second reading of the Bank Statements and Abstracts Regulation Bill postponed, on motion of Mr. Darvall, until this day fortnight.  
The House adjourned at five minutes after Eleven o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, APRIL 11.

### Contingent Notice of Motion :—

1. MR. MARTIN to move, (on the reading of the Order of the Day for the Resumption of the Committee of Supply),—  
(1.) That so much of the resolution passed by this House on the 4th April instant, as adopted the resolution of the Committee of Supply, "that there be granted to Her Majesty as an additional charge for the year 1860, a sum not exceeding £1,400 being amount equal to one year's salary of the Chief Justice of the Colony, to make provision for the performance of the duties of that office during the term of the leave of absence which Sir Alfred Stephen has applied for," be rescinded.  
(2.) That the said resolution of the Committee of Supply be referred back to it for further consideration.

### GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Ways and Means; Resumption of the Committee.
2. Indemnity Bill; second reading.
3. Supply; Resumption of the Committee.

### OTHER BUSINESS—ORDER OF THE DAY :—

1. Inquests concerning Fires Bill; second reading.

### Questions :—

1. MR. WALKER to ask THE SECRETARY FOR PUBLIC WORKS,—  
(1.) When the Electric Telegraph Station at Windsor will be opened for public use?  
(2.) What is the cause of the delay in the opening of such Telegraph Station?
2. MR. WALKER to ask THE SECRETARY FOR PUBLIC WORKS,—  
(1.) If it be true that the Surveying Party of the Valley of the Grose has been withdrawn?  
(2.) If so, what is the cause of such withdrawal?

3. MR. MARTIN *to ask* THE SECRETARY FOR LANDS,—
  - (1.) If the Government are aware whether or not any Judge of the District Court is in the habit of constantly travelling about on his Circuit with his son, such son being a practising advocate in his father's Court?
  - (2.) Whether, if such is the fact, the Government intend to take any steps in the matter?
4. MR. PARKES *to ask* THE SECRETARY FOR LANDS,—
  - (1.) Will the First Minister state whether the Government intend to take any definite steps in the matter of establishing Steam Communication *via* the Isthmus of Panama?
  - (2.) If the Government have any such intention, will the First Minister state, in distinct terms, what it is?
  - (3.) Will the First Minister state what is meant, in the Minute of the Executive Council laid upon the Table of this House on the 5th instant, by "the Legislature preparing the way, by resolution or otherwise," after the votes of both Houses already recorded on this question?
  - (4.) If the Minute alluded to has any meaning on the subject, will the First Minister explain what its meaning is?
5. MR. PIDDINGTON *to ask* THE COLONIAL TREASURER,—
  - (1.) What is the amount of Assessment money unpaid and overdue for the year 1859, under the provisions of 22nd Victoria, No. 17?
  - (2.) Have Warrants been issued by the Colonial Treasurer against defaulters to recover the several amounts overdue?
  - (3.) If Warrants have not been issued, when does the Government intend to issue them?
6. MR. WILSON *to ask* THE HONORABLE THE PREMIER,—When the Returns concerning Criminals condemned to Death since 1840, ordered on the 16th September, 1859, will be laid upon the Table of this House?

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THURSDAY, APRIL 12.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. ATKINSON *to move*, That the Petition presented by him on the 5th April, relative to the withdrawal of State Aid to Religion, be printed.

Questions :—

1. MR. TERRY *to ask* THE SECRETARY FOR LANDS,—
  - (1.) Whether the Government are aware that Mr. Lowe, appointed as Returning Officer for the Municipality of Nudgee, has declined to act?
  - (2.) If so, what steps, if any, do the Government intend to take in the matter?
  - (3.) Whether the Government are aware that Nudgee was proclaimed a Municipality on the 21st February last, and that by a Proclamation of the 8th March, 1860, appearing in the *Government Gazette* notifying that a general meeting for the nomination of officers was to take place on the 27th March; that at the appointed time the Electors did assemble, and that in consequence of there being no Returning Officer in attendance, no Councillors could be nominated, and that the Proclamation was thus rendered of no effect, so far as the election of Councillors was concerned?
  - (4.) Whether the Government are aware that no Returning Officer having been appointed, and that no election of Councillors having taken place—that the 12th section of the Municipal Act provides that the first meeting of Electors must take place not less than twenty days or more than forty days from the date of Proclamation of such Municipality—that more than forty days has transpired—that no such meeting has taken place?
  - (5.) Will the Government inform this House whether in consequence of such meeting of Electors not having taken place within the forty days required by law—whether the first Proclamation is void—whether a second is necessary; if so, whether it is the intention of the Government to issue such second Proclamation—and if so, when; and if not, why not?
2. MR. ASHER *to ask* THE HONORABLE THE PREMIER,—Whether any tenders have been received by the Government for the Conveyance of Mails between Adelong and Ten-mile Creek *via* Tumberumba; and, if so, why were they not accepted; also, whether the Government intend to abandon the promise made to the Tumberumba Petitioners, that they should have a weekly Mail?
3. MR. ASHER *to ask* THE SECRETARY FOR WORKS,—Why the Government have not called for fresh tenders for the repair of that almost impassable piece of road called the Crab-holes, near Albury; or whether the Government intend to repair it at all?
4. MR. JENKINS *to ask* THE HONORABLE THE PREMIER,—When the Government will be prepared to comply with the Address of this House, agreed to 23rd September, 1859, for further correspondence respecting Loans to the Sydney Corporation, and for statement of amount due as interest on Sewerage Debentures?

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FRIDAY,

FRIDAY, APRIL 13.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HAY to move,—  
 (1.) That a Select Committee be appointed to take into consideration the various petitions presented to this House, relative to the Seizure of certain Opium on board the ship "Kate Hooper," and to inquire into and report upon the matter thereof, with power to send for persons and papers.  
 (2.) That such Committee consist of the following Members, viz.:—Mr. Parkes, Mr. Broughton, Mr. Gordon, Mr. Weekes, Mr. Morris, Mr. Wilson, Mr. Jenkins, Mr. Forster, Mr. Samuel, and the Mover.
2. MR. COOPER to move, That the Petition relative to State Aid to Religion, presented by him on the 3rd April, be printed.
3. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
4. MR. McARTHUR to move for leave to introduce a Bill for the removal of the Toll-bar in Botany-street, Redfern, to a more suitable position.
5. MR. HODGSON to move,—  
 (1.) That the circumstance of no answer having been returned to the Address of this House to His Excellency the Governor General, agreed to on 10th February last, and communicating the following Resolution, namely,—  
 " (1.) That this House having lately discovered with regret, that the Despatch of Earl Carnarvon, dated 9 April, 1859, relative to the Assessment on Runs Act, was  
 " not communicated to this House on its arrival in the Colony, feels bound to  
 " express its disapproval of a course of proceeding which has had the effect of  
 " keeping this House and the Colony so long in ignorance of the real position of  
 " the above Act, and the intention of the Imperial Government respecting it.  
 " (2.) That the above Resolution be embodied in an Address to His Excellency the Governor General."  
 is not satisfactory to this House.  
 (2.) That this House re-affirms the aforesaid Resolution, and respectfully requests that such an answer may be returned, as may convey to this House, an assurance that the proceeding of which this House has expressed its *marked disapproval*, may not be in future repeated.  
 (3.) That the above Resolutions be communicated by Address to His Excellency the Governor General.
6. MR. HODGSON to move, That this House will, on Friday, the 20th instant, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause a sum of money to be placed upon the Supplementary Estimates for the Service of the year 1860, equal to one month's salary of Lieutenant Seaver, R.N., late Harbour Master at Newcastle, for each year of service.
7. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia, towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
8. MR. PARKES to move, That this House do now resolve itself into a Committee of the whole to receive Evidence on the Railway Works in course of construction, and that it be an instruction to the said Committee to examine at the Bar, Alexander Rhodes, Esq., Charles Fowler, Esq., Captain B. H. Martindale, and John Whitton, Esq., in reference thereto.
9. MR. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.
10. MR. HAY to move, That the Petition relative to the Seizure of Opium per "Kate Hooper," presented by him on the 29th February, be printed.

## ORDERS OF THE DAY :—

1. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."
2. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
3. Sydney Council Debentures Bill; to be considered in Committee.
4. Wesley College Bill; third reading.
5. Freight and Charges Bill; second reading.
6. Law of Primogeniture Abolition Bill; second reading.

TUESDAY, APRIL 17.

## Contingent Notice of Motion :—

1. MR. HODGSON to move (upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read).—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

OTHER

## OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. WILSON to move, That in the opinion of this House, the Export Duty on Gold should not be levied after the 31st December, 1860.

## ORDERS OF THE DAY:—

1. Lien on Wool Act Continuation Bill; second reading.
2. State Aid to Religion Abolition Bill; second reading.
3. Official Salaries Alteration Bill; second reading.
4. Public Lands Bill; second reading.
5. Land Tax Bill; second reading.
6. Sydney Municipal Elections Bill; second reading.
7. Necropolis Act Extension Bill; to be further considered in Committee.
8. Mount Keira Tramroad Bill; to be further considered in Committee.
9. Public Ferries Law Amendment Bill; second reading.

## Question:—

1. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to cancel the appointment of Polling Places at private establishments?

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WEDNESDAY, APRIL 18.

## OTHER BUSINESS—ORDER OF THE DAY:—

1. Harbor, Pilotage, and Navigation Bill; second reading.
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TUESDAY, APRIL 24.

## OTHER BUSINESS—ORDERS OF THE DAY:—

1. Capital Punishments Abolition Bill; second reading.
2. Bank Statements and Abstracts Regulation Bill; second reading.

T. A. MURRAY,  
*Speaker.*

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[Price, 6d.]

No. 78.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

WEDNESDAY, 11 APRIL, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Ways and Means:—On motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider of the Ways and Means to meet the Supply granted to Her Majesty for the Service of the year 1859–60.  
 The Chairman obtained leave to sit again on Wednesday next, and reported the following Resolutions:—  
 (4.) Resolved, That towards making good the Supply granted to Her Majesty for the Supplementary Service of the year 1859, the sum of £12,487 8s. 10d. be granted out of the Consolidated Revenue Fund of New South Wales.  
 (5.) Resolved, That towards making good the Supply granted to Her Majesty during the present Session, a further sum not exceeding £20,270 be raised by the sale of Debentures, secured upon the Consolidated Revenue Fund of New South Wales, and bearing interest at a rate not exceeding 5 per centum per annum, for the construction of a Bridge to connect the Abattoirs, Glebe Island, with the main land.  
 Mr. Weekes then moved, That this House do now adopt these Resolutions.  
 Question put and passed.
2. Indemnity Bill, on motion of Mr. Weekes, read a second time.  
 Whereupon, on motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for the consideration thereof.  
 The Chairman having reported the Bill without Amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time to-morrow.
3. Supply:—On the Order of the Day being read for the resumption of the Committee, Mr. Martin moved, pursuant to *Contingent Notice*,—  
 (1.) That so much of the resolution passed by this House on the 4th April instant, as adopted the resolution of the Committee of Supply, “that there be granted to Her Majesty as an additional charge for the year 1860, a sum not exceeding £1,400 being amount equal to one year’s salary of the Chief Justice of the Colony, to make provision for the performance of the duties of that office during the term of the leave of absence which Sir Alfred Stephen has applied for,” be rescinded.  
 (2.) That the said resolution of the Committee of Supply be referred back to it for further consideration.  
 Debate ensued.  
 Question put.  
 The House divided.

Ayes, 20.

Mr. Irving.	Mr. Forster,	
Mr. Morris.	Mr. Macleay.	
Mr. Cape.	Mr. Jenkins.	
Mr. Lyons.	Mr. Hurley.	
Mr. Broughton.	Mr. Faucett.	
Mr. Walker.	Mr. Egan.	
Mr. Roberts.	Mr. Darvall.	
Mr. Martin.	Mr. Hay.	
Mr. Oxley.	Mr. Black.	
Mr. Nott.	Mr. Clements.	
Mr. Piddington.	Mr. Hamilton.	
Mr. Plunkett.	Mr. Samuel.	
Mr. A. Campbell.	Mr. Mort.	} Tellers.
Mr. McArthur.	Mr. Wild.	
Mr. Russell.		

Noes, 22.

Mr. Arnold.	Mr. Terry.	
Mr. Weekes.	Mr. Gordon.	
Mr. Robertson.	Mr. J. Campbell.	
Mr. Lucas.	Rev. Dr. Lang.	
Mr. Parkes.	Mr. Rotton.	
Mr. Windeyer.	Mr. Garrett.	} Tellers.
Mr. Close.	Mr. Cooper.	
Mr. Wilson.		
Mr. Hoskins.		
Mr. Scott.		
Mr. Gray.		
Mr. Penell.		
Mr. Flott.		
Mr. Dickson.		
Mr. Byrnes.		

Whereupon, on motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty for the Service of the year 1859–60.

And the Committee continuing to sit till after Midnight,—

THURSDAY, 12 APRIL, 1860. A.M.

The Chairman obtained leave to sit again at a later hour to-day, and reported that the Committee had further considered the Resolution referred back to them as above, and had agreed to the following Resolution in *substitution* therefor:—

(50.)

(50.) Resolved, That there be granted to Her Majesty, as an additional charge for the year 1860, the sum of £2,000, to be paid to the Chief Justice during his leave of absence from the Colony.

Mr. Weekes then moved, That this House do now adopt this Resolution.

Question put.

The House divided.

Ayes, 30.

Mr. Robertson,	Mr. Plunkett,	
Mr. Arnold,	Mr. Samuel,	
Mr. Weekes,	Mr. Oxley,	
Mr. A. Campbell,	Mr. Forster,	
Mr. Mort,	Mr. Broughton,	
Mr. Nott,	Mr. Egan,	
Mr. Macleay,	Mr. Irving,	
Mr. Hay,	Mr. Darvall,	
Mr. Walker,	Mr. Martin,	
Mr. Hurley,	Mr. Cape,	
Mr. Close,	Mr. Hamilton,	
Mr. Wild,	Mr. Morris,	
Mr. Black,	Mr. Piddington,	
Mr. Roberts,	Mr. Byrnes,	} Tellers.
Mr. Faucett,	Mr. Cooper,	

Noes, 11.

Rev. Dr. Lang,	
Mr. Wilson,	
Mr. J. Campbell,	
Mr. Hoskins,	
Mr. Parkes,	
Mr. Windeyer,	
Mr. Terry,	
Mr. Scott,	
Mr. Lucas,	
Mr. Rotton,	} Tellers.
Mr. Garrett,	

4. Death of Sir Thomas Brisbane:—Mr. Robertson stated, that in consequence of the melancholy intelligence of the Death of Sir Thomas Brisbane, formerly Governor of New South Wales, which had reached the Colony this evening, he deemed it right to move the adjournment of the Proceedings of this House for one day.

Mr. Robertson then moved, That this House do now adjourn until Three o'clock "on Friday next."

Debate ensued.

Mr. Hoskins moved, That the Question be amended, by the omission of the words "on Friday next," with a view to the insertion in their place of the word "to-day."

Question put, That the words proposed to be omitted stand part of the Question,—

The House divided.

Ayes, 15.

Mr. Robertson,	Mr. Macleay,	
Mr. Close,	Mr. Piddington,	
Mr. Hurley,	Mr. J. Campbell,	
Mr. Egan,	Rev. Dr. Lang,	
Mr. Morris,	Mr. Wilson,	
Mr. Hamilton,	Mr. Byrnes,	} Tellers.
Mr. Oxley,	Mr. Scott,	
Mr. Broughton,		

Noes, 8.

Mr. Hoskins,	
Mr. Parkes,	
Mr. Rotton,	
Mr. Terry,	
Mr. Garrett,	
Mr. Roberts,	
Mr. Lucas,	} Tellers.
Mr. Windeyer,	

Question then,—That this House do now adjourn until Three o'clock, on Friday next,—put and passed.

Whereupon the House adjourned, at five minutes after One o'clock A.M., until Friday next, (to-morrow) at Three o'clock P.M.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, APRIL 13.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. HAY to move,—  
(1.) That a Select Committee be appointed to take into consideration the various petitions presented to this House, relative to the Seizure of certain Opium on board the ship "Kate Hooper," and to inquire into and report upon the matter thereof, with power to send for persons and papers.  
(2.) That such Committee consist of the following Members, viz.:—Mr. Parkes, Mr. Broughton, Mr. Gordon, Mr. Weekes, Mr. Morris, Mr. Wilson, Mr. Jenkins, Mr. Forster, Mr. Samuel, and the Mover.
2. MR. COOPER to move, That the Petition relative to State Aid to Religion, presented by him on the 3rd April, be printed.
3. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
4. MR. MCARTHUR to move for leave to introduce a Bill for the removal of the Toll-bar in Botany-street, Redfern, to a more suitable position.
5. MR. HODGSON to move,—  
(1.) That the circumstance of no answer having been returned to the Address of this House to His Excellency the Governor General, agreed to on 10th February last, and communicating the following Resolution, namely,—  
" (1.) That this House having lately discovered with regret, that the Despatch of Earl Carnarvon, dated 9 April, 1859, relative to the Assessment on Runs-Act, was  
"not



- "not communicated to this House on its arrival in the Colony, feels bound to express its disapproval of a course of proceeding which has had the effect of keeping this House and the Colony so long in ignorance of the real position of the above Act, and the intention of the Imperial Government respecting it."
- "(2.) That the above Resolution be embodied in an Address to His Excellency the Governor General."

is not satisfactory to this House.

- (2.) That this House re-affirms the aforesaid Resolution, and respectfully requests that such an answer may be returned, as may convey to this House, an assurance that the proceeding of which this House has expressed its *marked disapproval*, may not be in future repeated.
- (3.) That the above Resolutions be communicated by Address to His Excellency the Governor General.
6. MR. HODGSON to move, That this House will, on Friday, the 20th instant, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause a sum of money to be placed upon the Supplementary Estimates for the Service of the year 1860, equal to one month's salary of Lieutenant Seaver, R.N., late Harbour Master at Newcastle, for each year of service.
7. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia, towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
8. MR. PARKES to move, That this House do now resolve itself into a Committee of the whole to receive Evidence on the Railway Works in course of construction, and that it be an instruction to the said Committee to examine at the Bar, Alexander Rhodes, Esq., Charles Fowler, Esq., Captain B. H. Martindale, and John Whitton, Esq., in reference thereto.
9. MR. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.
10. MR. HAY to move, That the Petition relative to the Seizure of Opium per "Kate Hooper," presented by him on the 29th February, be printed.
11. MR. MARTIN to move for leave to introduce a Bill to amend the District Courts Act.
12. MR. ATKINSON to move, That the Petition presented by him on the 5th April, relative to the withdrawal of State Aid to Religion, be printed.

#### ORDERS OF THE DAY:—

1. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."
2. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
3. Sydney Council Debentures Bill; to be considered in Committee.
4. Wesley College Bill; third reading.
5. Freight and Charges Bill; second reading.
6. Law of Primogeniture Abolition Bill; second reading.
7. Inquests concerning Fires Bill; second reading.

#### GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Indemnity Bill; third reading.
2. Supply; Resumption of the Committee.

#### Questions:—

1. MR. TERRY to ask THE SECRETARY FOR LANDS,—
  - (1.) Whether the Government are aware that Mr. Lowe, appointed as Returning Officer for the Municipality of Mudgee, has declined to act?
  - (2.) If so, what steps, if any, do the Government intend to take in the matter?
  - (3.) Whether the Government are aware that Mudgee was proclaimed a Municipality on the 21st February last, and that by a Proclamation of the 8th March, 1860, appearing in the *Government Gazette* notifying that a general meeting for the nomination of officers was to take place on the 27th March; that at the appointed time the Electors did assemble, and that in consequence of there being no Returning Officer in attendance, no Councillors could be nominated, and that the Proclamation was thus rendered of no effect, so far as the election of Councillors was concerned?
  - (4.) Whether the Government are aware that no Returning Officer having been appointed, and that no election of Councillors having taken place—that the 12th section of the Municipal Act provides that the first meeting of Electors must take place not less than twenty days or more than forty days from the date of Proclamation of such Municipality—that more than forty days has transpired—that no such meeting has taken place?
  - (5.) Will the Government inform this House whether in consequence of such meeting of Electors not having taken place within the forty days required by law—whether the first Proclamation is void—whether a second is necessary; if so, whether it is the intention of the Government to issue such second Proclamation—and if so, when; and if not, why not?
2. MR. ASHER to ask THE HONORABLE THE PREMIER,—Whether any tenders have been received by the Government for the Conveyance of Mails between Adelong and Ten-mile Creek *via* Tumberumba; and, if so, why were they not accepted; also, whether the Government intend to abandon the promise made to the Tumberumba Petitioners, that they should have a weekly Mail?
3. MR. ASHER to ask THE SECRETARY FOR WORKS,—Why the Government have not called for fresh tenders for the repair of that almost impassable piece of road called the Crab-holes, near Albury; or whether the Government intend to repair it at all?

4. MR. JENKINS *to ask* THE HONORABLE THE PREMIER,—When the Government will be prepared to comply with the Address of this House, agreed to 23rd September, 1859, for further correspondence respecting Loans to the Sydney Corporation, and for statement of amount due as interest on Sewerage Debentures?
5. MR. FORSTER *to ask* THE SECRETARY FOR PUBLIC WORKS,—Has any, or what decision been arrived at, by the Government, with reference to the site of a Court House and Lock-up for the Town of Queanbeyan?
6. MR. PIDDINGTON *to ask* THE SECRETARY FOR PUBLIC WORKS,—
  - (1.) Whether the Executive intend to call for a Report from the Railway Commissioner upon the advisability, or otherwise, of carrying a line of Railway through the Valley of the Grose?
  - (2.) Assuming that the Railway Authorities will be required to furnish the Government with a Report upon the above subject—when is it probable that such Report will be laid upon the Table of this House?
7. MR. FORSTER *to ask* THE SECRETARY FOR PUBLIC WORKS,—
  - (1.) When is it likely that temporary access to the Abattoirs upon Glebe Island will be provided by the completion of the punts, for which a sum of money was voted by this House in the Supplementary Estimates for 1859?
  - (2.) Is it intended by the present Government, upon the completion of the punts above referred to, to proclaim that the Abattoirs are completed, so as to give effect to the Act of Council, 14 Victoria, No. 36?

TUESDAY, APRIL 17.

*Contingent Notice of Motion :—*

1. MR. HODGSON *to move (upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read)*,—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. WILSON *to move*, That in the opinion of this House the Export Duty on Gold should not be levied after the 31st December, 1860.

ORDERS OF THE DAY :—

1. Lien on Wool Act Continuation Bill; second reading.
2. State Aid to Religion Abolition Bill; second reading.
3. Official Salaries Alteration Bill; second reading.
4. Public Lands Bill; second reading.
5. Land Tax Bill; second reading.
6. Sydney Municipal Elections Bill; second reading.
7. Necropolis Act Extension Bill; to be further considered in Committee.
8. Mount Keira Tramroad Bill; to be further considered in Committee.
9. Public Ferries Law Amendment Bill; second reading.

*Questions :—*

1. MR. HOSKINS *to ask* THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to cancel the appointment of Polling Places at private establishments?
2. MR. ASHER *to ask* THE HONORABLE THE PREMIER,—
  - (1.) Whether the Government are aware that in consequence of the Mail Contractors between Campbelltown and Goulburn taking more passengers than their horses can draw, the men in charge of gold boxes, containing money, at times are compelled to walk, and are frequently at a very great distance from the said gold boxes—that in consequence, the said gold boxes are at times utterly unprotected; also, whether the Government are aware that from the same cause the Mails to Goulburn are frequently behind time?
  - (2.) Do the Government intend to inquire into the matter, and enforce the terms of the Contract with the Contractors?
3. MR. ASHER *to ask* THE SECRETARY FOR PUBLIC WORKS,—Why the Government have not enforced the terms of the lease or contract between them and Messrs. Kidd and Bricker, the late lessees of the punt at Albury; which lease states that the lessees shall leave said punt and appurtenances in good working order at the expiration of their lease, and whether they intend to do so; also, are they aware that the lease or contract with the present lessee was interlined by some Government Official after the present lessee had signed it, and when out of his sight, and without his consent?

WEDNESDAY, APRIL 18.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Harbor, Pilotage, and Navigation Bill; second reading.
2. Ways and Means; Resumption of the Committee.

TUESDAY, APRIL 24.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Capital Punishments Abolition Bill; second reading.
2. Bank Statements and Abstracts Regulation Bill; second reading.

T. A. MURRAY,  
Speaker

No. 79.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

FRIDAY, 13 APRIL, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Vacant Seat :—The Speaker having reported that he had received a letter from Thomas Jarman Hawkins, Esquire, resigning his Seat as a Member for the Electoral District of East Macquarie,—  
 Mr. Robertson moved, That the Seat of Thomas Jarman Hawkins, Esquire, as a Member for the Electoral District of East Macquarie hath become and is now vacant, by reason of the resignation thereof by the said Thomas Jarman Hawkins, Esquire.  
 Question put and passed.
2. Paper :—Mr. Weekes laid upon the Table, Report of the Board appointed to inquire into Disputes between the Collector of Customs and Customs' Agents, and others; with Appendix and Minutes of Evidence.  
 Ordered to be printed.
3. State Aid to Religion Abolition Bill :—Mr. Dickson presented a Petition from certain Inhabitants of East Maitland and its Suburbs, praying that this Bill may pass unchanged in principle, with certain alterations of detail only.  
 Petition received.
4. Town Hall Site Exchange Bill :—Mr. Plunkett presented a Petition from the Municipal Council of the City of Sydney, praying for leave to bring in a Bill to enable the said Municipal Council to substitute for their present site a more convenient site for a Town Hall,—And Mr. Plunkett having produced the *Government Gazette*, and the *Sydney Morning Herald* Newspaper, containing Notice for four consecutive weeks, in the months of February and March last, of the intention to apply for such Bill,—  
 Petition received.
5. Tanners' and Curriers' Bill :—Mr. Byrnes, *with the concurrence of the House*, moved, *without previous notice*, That the several Petitions from certain Tanners and Curriers, presented to this House, respectively, on 20th November, 1859, 25th January, and 28th February last; from certain Inhabitants of Sydney and Suburbs, praying for the removal of Slaughter-houses and other Nuisances from the precincts of the City, presented, respectively, on 24th and 31st January last; and the Petition from Owen Joseph Carabier, presented on 13th December, 1859; be referred to the Select Committee now sitting on the Tanners' and Curriers' Bill.  
 Question put and passed.
6. Member of Legislative Council as Witness :—Mr. Byrnes moved, That the following Message be carried to the Legislative Council :—  
 MR. PRESIDENT,  
 The Legislative Assembly having appointed a Select Committee to inquire into the Tanners' and Curriers' Bill, and that Committee being desirous to examine the Honorable James Robert Wilshire, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.  
*Legislative Assembly Chamber,*  
*Sydney 13th April, 1860.*  
 Speaker.  
 Question put and passed.
7. Seizure of Opium per "Kate Hooper" :—Mr. Hay moved, pursuant to notice,—  
 (1.) That a Select Committee be appointed to take into consideration the various Petitions presented to this House, relative to the Seizure of certain Opium on board the ship "Kate Hooper," and to inquire into and report upon the matter thereof, with power to send for persons and papers.  
 (2.) That such Committee consist of the following Members, viz. :—Mr. Parkes, Mr. Broughton, Mr. Gordon, Mr. Weekes, Mr. Morris, Mr. Wilson, Mr. Jenkins, Mr. Forster, Mr. Samuel, and the Mover.  
 Debate ensued.

And

And Mr. Terry requiring that the proposed Committee be appointed by Ballot,—  
Question—(1.) That a Select Committee be appointed to take into consideration the various Petitions presented to this House, relative to the Seizure of certain Opium on board the ship "Kate Hooper," and to inquire into and report upon the matter thereof, with power to send for persons and papers,—put and passed.

Whereupon the House proceeded to the Ballot, and the Speaker declared the following Members to be, with the Mover, the Committee duly appointed:—Mr. Weekes, Mr. Forster, Mr. Gordon, Mr. Morris, Mr. Samuel, Mr. Parkes, Mr. Wilson, Mr. Broughton, and Mr. A. Campbell.

8. Special Roman Catholic Education:—Mr. Cooper moved, pursuant to *amended* notice, That the Petition relative to Special Roman Catholic Education, presented by him on the 3rd April, be printed.  
Question put and passed.  
Ordered to be printed.

9. Postponement:—Mr. Byrnes postponed the motion standing in his name, No. 3 on the Notice Paper for to-day, until this day fortnight.

10. Motion withdrawn:—Mr. McArthur withdrew the motion standing in his name, No. 4 on the Notice Paper for to-day.

11. Alleged Suppression of Despatch relative to the Assessment on Runs Act:—Mr. Hodgson moved, pursuant to *amended* notice,—

- (1.) That the circumstance of no answer having been returned to the Address of this House to His Excellency the Governor General, agreed to on 10th February last, and communicating the following Resolution, namely,—

"(1.) That this House having lately discovered with regret, that the Despatch of Earl Carnarvon, dated 9 April, 1859, relative to the Assessment on Runs Act, was not communicated to this House on its arrival in the Colony, feels bound to express its disapproval of a course of proceeding which has had the effect of keeping this House and the Colony so long in ignorance of the real position of the above Act, and the intention of the Imperial Government respecting it.

"(2.) That the above Resolution be embodied in an Address to His Excellency the Governor General."

is not satisfactory to this House.

(2.) That this House respectfully requests that such an answer may be returned, as may convey to this House an assurance that the proceeding of which this House has expressed its *marked disapproval*, may not be in future repeated.

(3.) That the above Resolutions be communicated by Address to His Excellency the Governor General.

Debate ensued.

Mr. Windeyer moved the Previous Question.

Debate continued.

Previous Question put,—That this Question be now put.

The House divided.

#### Ayes 18.

Mr. Russell,	Mr. Hay,	} Tellers.
Mr. Clements,	Mr. Mort,	
Mr. Oxley,	Mr. Macleay,	
Mr. Black,	Mr. Hodgson,	
Mr. Egan,	Mr. Morris,	
Mr. Jenkins,	Mr. Faucett,	
Mr. Lyons,		
Mr. Hamilton,		
Mr. Piddington,		
Mr. Forster,		
Mr. Broughton,		
Mr. Plunkett,		

#### Noes 23.

Mr. Robertson,	Mr. Flett,	} Tellers.
Mr. Weekes,	Mr. Terry,	
Mr. Cooper,	Mr. Pemell,	
Mr. McArthur,	Mr. Parkes,	
Mr. Lucas,	Mr. Gray,	
Mr. Dickson,	Mr. J. Campbell,	
Mr. Gordon,	Mr. Arnold,	
Mr. Byrnes,	Rev. Dr. Lang,	
Mr. Atkinson,	Mr. Rotton,	
Mr. Jamison,	Mr. Hoskins,	
Mr. Wilson,	Mr. Windeyer,	
Mr. Close,		

12. Lieutenant Seaver, R.N.:—Mr. Hodgson moved, pursuant to *amended* notice, That this House will, on Tuesday, the 24th instant, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause a sum of money to be placed upon the Supplementary Estimates for the Service of the year 1860, equal to one month's salary of Lieutenant Seaver, R.N., calculated at the rate received by him as late Shipping Master at Newcastle, for each year of service.  
Question put and passed.

13. Postponement:—Dr. Lang postponed the motion standing in his name, No. 7 on the Notice Paper for to-day, until this day fortnight.

14. Committee to take Evidence on Railway Works:—Mr. Parkes moved, pursuant to notice, That this House do now resolve itself into a Committee of the whole, to receive Evidence on the Railway Works in course of construction, and that it be an instruction to the said Committee to examine at the Bar, Alexander Rhodes, Esq., Charles Fowler, Esq., Captain B. H. Martindale, and John Whitton, Esq., in reference thereto.

Debate ensued.

And the House continuing to sit till after Midnight,—

SATURDAY, 14 APRIL, 1860. A.M.

Question put.

The House divided.

Ayes, 21.

Mr. Arnold,	Mr. Hoskins,	
Mr. Robertson,	Mr. Plunkett,	
Mr. Weekes,	Mr. Faucett,	
Mr. Parkes,	Mr. Clements,	
Mr. Windeyer,	Mr. Jamison,	
Mr. Broughton,	Mr. Cummings,	
Mr. Byrnes,	Mr. Lucas,	
Mr. Dickson,	Rev. Dr. Lang,	
Mr. Flett,	Mr. Gordon,	} Tellers.
Mr. Piddington,	Mr. Wilson,	
Mr. Hamilton,		

Noes, 3.

Mr. Rotton,	
Mr. Forster,	} Tellers.
Mr. Morris,	

Whereupon the House resolved itself into the said Committee.

The Chairman reported progress, and obtained leave to sit again on Tuesday next, with precedence over all other business on the Paper for that day.

15. Vacant Seat:—The Speaker having reported that he had just received a letter from William Timothy Cape, Esquire, resigning his Seat as Member for the Electoral District of Wollombi,—

Mr. Robertson moved, That the Seat of William Timothy Cape, Esquire, as Member for the Electoral District of Wollombi, hath become and is now vacant, by reason of the resignation thereof by the said William Timothy Cape, Esquire.

Question put and passed.

On motion of Mr. Robertson, the House adjourned at a quarter before One o'clock, A.M., until Three o'clock, P.M., on Tuesday next.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, APRIL 17.

Contingent Notices of Motion:—

1. MR. ARNOLD to move (*on the reading of the Order of the Day for going into Committee of the whole on Railway construction*),—That it be an instruction to such Committee to examine such further witnesses as in the course of the inquiry may seem desirable to such Committee.
2. MR. HODGSON to move (*upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read*),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Railway Works; Resumption of the Committee to take evidence on.

NOTICES OF MOTION:—

1. MR. WILSON to move, That in the opinion of this House the Export Duty on Gold should not be levied after the 31st December, 1860.
2. MR. DICKSON to move, That the Petition presented by him, from certain Inhabitants of East Maitland, on the 13th April, be printed.
3. MR. WINDEYER to move for leave to bring in a Bill to amend the Affiliated Colleges Act, 18 Vict., No. 37.
4. MR. PIDDINGTON to move, That Mr. Parkes be added to the Committee on the Hawkesbury Benevolent Society's Act Amendment Bill.
5. MR. PLUNKETT to move for leave to bring in a Bill to enable the Corporation of Sydney to sell or exchange the present site for a Town Hall.
6. MR. ROTTEN to move, on behalf of the Chairman of the Select Committee upon Church and School Lands, That the Rev. Dr. Lang be added to that Committee.
7. MR. MOSE to move, That the Petition from certain Inhabitants of Sydney and Suburbs, praying for the removal of Slaughter Houses and other Nuisances from the precincts of the City, presented by him on the 31st January last, be referred to the Select Committee now sitting on the Tanners' and Curriers' Bill.
8. MR. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.
9. MR. HAY to move, That the Petition relative to the Seizure of Opium per "Kata Hooper," presented by him on the 29th February, be printed.
10. MR. MARTIN to move for leave to introduce a Bill to amend the District Courts Act.
11. MR. ATKINSON to move, That the Petition presented by him on the 5th April, relative to the withdrawal of State Aid to Religion, be printed.

ORDERS

## ORDERS OF THE DAY :—

1. Lien on Wool Act Continuation Bill ; second reading.
2. State Aid to Religion Abolition Bill ; second reading.
3. Official Salaries Alteration Bill ; second reading.
4. Public Lands Bill ; second reading.
5. Land Tax Bill ; second reading.
6. Sydney Municipal Elections Bill ; second reading.
7. Necropolis Act Extension Bill ; to be further considered in Committee.
8. Mount Keira Tramroad Bill ; to be further considered in Committee.
9. Public Ferries Law Amendment Bill ; second reading.
10. Primary Education Encouragement Bill ; Resumption of the adjourned debate on Mr. Oxley's motion, " That this Bill be now read a second time."
11. Funds for Experimental Quartz Crushing Machine ; consideration in Committee of Address for.
12. Sydney Council Debentures Bill ; to be considered in Committee.
13. Wesley College Bill ; third reading.
14. Freight and Charges Bill ; second reading.
15. Law of Primogeniture Abolition Bill ; second reading.
16. Inquests concerning Fires Bill ; second reading.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Indemnity Bill ; third reading.
2. Supply ; Resumption of the Committee.

## Questions :—

1. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to cancel the appointment of Polling Places at private establishments ?
2. MR. ASHER to ask THE HONORABLE THE PREMIER,—  
(1.) Whether the Government are aware that in consequence of the Mail Contractors between Campbelltown and Goulburn taking more passengers than their horses can draw, the men in charge of gold boxes, containing money, at times are compelled to walk, and are frequently at a very great distance from the said gold boxes—that in consequence, the said gold boxes are at times utterly unprotected ; also, whether the Government are aware that from the same cause the Mails to Goulburn are frequently behind time ?  
(2.) Do the Government intend to inquire into the matter, and enforce the terms of the Contract with the Contractors ?
3. MR. ASHER to ask THE SECRETARY FOR PUBLIC WORKS,—Why the Government have not enforced the terms of the lease or contract between them and Messrs. Kidd and Bricker, the late lessees of the punt at Albury ; which lease states that the lessees shall leave said punt and appurtenances in good working order at the expiration of their lease, and whether they intend to do so ; also, are they aware that the lease or contract with the present lessee was interlined by some Government Official after the present lessee had signed it, and when out of his sight, and without his consent ?
4. MR. PLUNKETT to ask THE HONORABLE THE PREMIER,—  
(1.) Is the Office of Solicitor General as yet filled up ; if not, how long is it still to remain vacant ?  
(2.) What Officer of the Government is to be considered representing the Department of the Administration of Justice in this House ?
5. MR. PLUNKETT to ask THE HONORABLE THE PREMIER,—  
(1.) Whether the Government have taken any, and what steps, to inquire into the charges lately preferred by Mr. Phillip Cohen, against Mr. Morris Asher, a Justice of the Peace, in reference to his conduct on the Sydney Bench, during the hearing of a case in which he was himself a party ?  
(2.) Is there any objection to produce the correspondence on the subject between Mr. Cohen and the Government ?
6. MR. PLUNKETT to ask THE HONORABLE THE PREMIER,—  
(1.) When the Returns relative to the District Courts, moved for by him, and ordered by the House on the 5th of October last, are to be produced ?  
(2.) What has caused the long delay in complying with the Order of the House ?
7. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—  
(1.) What is the reason that the Government have directed that the land at Tabulam, which is about to be submitted for sale by auction on the 23rd instant, should be sold at Casino ?  
(2.) Are the Government aware, that the latter place is forty miles distant from Tabulam, and that this circumstance will prevent many persons belonging to the industrious classes from acquiring land in that locality—and that it will be offering undue facilities to land speculators—and consequently there will be a diminution in the receipts from such sale ?  
(3.) Whether it is the intention of the Government to take steps to prevent such an occurrence ?
8. MR. TERRY to ask THE SECRETARY FOR PUBLIC WORKS,—If the Engineer for Harbours and Rivers, whose salary on the Estimates is £1,100 per annum, is allowed private practice ?
9. MR. A. CAMPBELL to ask THE COLONIAL TREASURER,—  
(1.) Do the Government intend to continue the payment of the proportion chargeable to New South Wales of the amount guaranteed by the Australian Colonies, for subsidising the present Steam Postal Service *via* Suez ?

- (2.) Have the Government signified their acquiescence in the proposal lately made by the Contractors for running a fortnightly line between Sydney and Point de Galie, on payment of an additional subsidy of £25,000; if so, are the Government prepared to recommend that this Colony shall contribute a proportion of such sum (about £3,000 per annum,) pending the establishment of the proposed Postal Service *via* the Isthmus of Panama?
10. MR. WINDEYER *to ask* THE SECRETARY FOR LANDS,—  
 (1.) When the Government will proclaim the Road between Pitt Water and Manly Cove?  
 (2.) Whether the Government are aware that in consequence of there being no Public Wharf at Manly Cove, a large number of people were prohibited, last Easter Monday, from landing at the only safe landing place in that locality?
11. MR. CLEMENTS *to ask* THE SECRETARY FOR PUBLIC WORKS,—  
 (1.) Whether the Government are aware that what was formerly a Burial-ground at Bathurst is now a portion of George and Lambert streets in that Town?  
 (2.) Has, or will the Government take any steps for the removal of the remains interred there to some proper place?
12. MR. CLEMENTS *to ask* THE SECRETARY FOR PUBLIC WORKS,—  
 (1.) Whether any additional contracts have been entered into during the past month for the repair of the Western Road, between Ellison's Bar and Shepherd's Bar, on the Blue Mountains?  
 (2.) Are the Government aware that at present there are no men at work on that part of the road?
13. MR. RYTON *to ask* THE HONORABLE THE PREMIER,—Have any Occupants of Pastoral Runs made default in payment of their Assessment; if so, has the Government taken, or does it intend to take, any steps to enforce payment.

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WEDNESDAY, APRIL 18.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Harbor, Pilotage, and Navigation Bill; second reading.
  2. Ways and Means; Resumption of the Committee.
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TUESDAY, APRIL 24.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Capital Punishments Abolition Bill; second reading.
  2. Bank Statements and Abstracts Regulation Bill; second reading.
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FRIDAY, APRIL 27.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. BYRNES *to move*, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
2. DR. LANG *to move*, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia, towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.

T. A. MURRAY,  
*Speaker.*

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No. 80.

## VOTES AND PROCEEDINGS

OF THE

# LEGISLATIVE ASSEMBLY.

TUESDAY, 17 APRIL, 1860.

1. There being only Nineteen Members present, exclusive of the Speaker, namely,—Mr. Arnold, Mr. Asher, Mr. Black, Mr. Byrnes, Mr. Cooper, Mr. Dickson, Mr. Flett, Mr. Garrett, Mr. Hoskins, Mr. Jamison, Dr. Lang, Mr. Morris, Mr. Oxley, Mr. Parkes, Mr. Piddington, Mr. Plunkett, Mr. Weekes, Mr. Wild, and Mr. Windeyer,—The Speaker took the Chair, and adjourned the House, at half-past Three o'clock, until To-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, APRIL 18.

### *Contingent Notices of Motion :—*

1. MR. ARNOLD to move (*on the reading of the Order of the Day for going into Committee of the whole on Railway construction*),—That it be an instruction to such Committee to examine such further witnesses as in the course of the inquiry may seem desirable to such Committee.
2. MR. HODGSON to move (*upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read*),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

### GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Indemnity Bill ; third reading.
2. Supply ; Resumption of the Committee.
3. Ways and Means ; Resumption of the Committee.

### OTHER BUSINESS—ORDER OF THE DAY :—

1. Railway Works ; Resumption of the Committee to take evidence on.

### NOTICES OF MOTION :—

1. MR. WILSON to move, That in the opinion of this House the Export Duty on Gold should not be levied after the 31st December, 1860.
2. MR. DICKSON to move, That the Petition presented by him, from certain Inhabitants of East Maitland, on the 13th April, be printed.
3. MR. WINDEYER to move for leave to bring in a Bill to amend the Affiliated Colleges Act, 18 Vict., No. 37.
4. MR. PIDDINGTON to move, That Mr. Parkes be added to the Committee on the Hawkesbury Benevolent Society's Act Amendment Bill.
5. MR. PLUNKETT to move for leave to bring in a Bill to enable the Corporation of Sydney to sell or exchange the present site for a Town Hall.
6. MR. RORTON to move, on behalf of the Chairman of the Select Committee upon Church and School Lands, That the Rev. Dr. Lang be added to that Committee.
7. MR. MORT to move, That the Petition from certain Inhabitants of Sydney and Suburbs, praying for the removal of Slaughter Houses and other Nuisances from the precincts of the City, presented by him on the 31st January last, be referred to the Select Committee now sitting on the Tanners' and Curriers' Bill.
8. MR. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.

9. MR. HAY to move, That the Petition relative to the Seizure of Opium per "Kate Hooper," presented by him on the 29th February, be printed.
10. MR. MARTIN to move for leave to introduce a Bill to amend the District Courts Act.
11. MR. ATKINSON to move, That the Petition presented by him on the 5th April, relative to the withdrawal of State Aid to Religion, be printed.

ORDERS OF THE DAY:—

1. Harbor, Pilotage, and Navigation Bill; second reading.
2. Lien on Wool Act Continuation Bill; second reading.
3. State Aid to Religion Abolition Bill; second reading.
4. Official Salaries Alteration Bill; second reading.
5. Public Lands Bill; second reading.
6. Land Tax Bill; second reading.
7. Sydney Municipal Elections Bill; second reading.
8. Necropolis Act Extension Bill; to be further considered in Committee.
9. Mount Keira Tramroad Bill; to be further considered in Committee.
10. Public Ferries Law Amendment Bill; second reading.
11. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."
12. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
13. Sydney Council Debentures Bill; to be considered in Committee.
14. Wesley College Bill; third reading.
15. Freight and Charges Bill; second reading.
16. Law of Primogeniture Abolition Bill; second reading.
17. Inquests concerning Fires Bill; second reading.

Questions:—

1. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to cancel the appointment of Polling Places at private establishments?
2. MR. ASHER to ask THE HONORABLE THE PREMIER,—
  - (1.) Whether the Government are aware that in consequence of the Mail Contractors between Campbelltown and Goulburn taking more passengers than their horses can draw, the men in charge of gold boxes, containing money, at times are compelled to walk, and are frequently at a very great distance from the said gold boxes—that in consequence, the said gold boxes are at times utterly unprotected; also, whether the Government are aware that from the same cause the Mails to Goulburn are frequently behind time?
  - (2.) Do the Government intend to inquire into the matter, and enforce the terms of the Contract with the Contractors?
3. MR. ASHER to ask THE SECRETARY FOR PUBLIC WORKS,—Why the Government have not enforced the terms of the lease or contract between them and Messrs. Kidd and Bricker, the late lessees of the punt at Albury; which lease states that the lessees shall leave said punt and appurtenances in good working order at the expiration of their lease, and whether they intend to do so; also, are they aware that the lease or contract with the present lessee was interlined by some Government Official after the present lessee had signed it, and when out of his sight, and without his consent?
4. MR. PLUNKETT to ask THE HONORABLE THE PREMIER,—
  - (1.) Is the Office of Solicitor General as yet filled up; if not, how long is it still to remain vacant?
  - (2.) What Officer of the Government is to be considered representing the Department of the Administration of Justice in this House?
5. MR. PLUNKETT to ask THE HONORABLE THE PREMIER,—
  - (1.) Whether the Government have taken any, and what steps, to inquire into the charges lately preferred by Mr. Phillip Cohen against Mr. Morris Asher, a Justice of the Peace, in reference to his conduct on the Sydney Bench, during the hearing of a case in which he was himself a party?
  - (2.) Is there any objection to produce the correspondence on the subject between Mr. Cohen and the Government?
6. MR. PLUNKETT to ask THE HONORABLE THE PREMIER,—
  - (1.) When the Returns relative to the District Courts, moved for by him, and ordered by the House on the 5th of October last, are to be produced?
  - (2.) What has caused the long delay in complying with the Order of the House?
7. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—
  - (1.) What is the reason that the Government have directed that the land at Tabulam, which is about to be submitted for sale by auction on the 23rd instant, should be sold at Casino?
  - (2.) Are the Government aware that the latter place is forty miles distant from Tabulam, and that this circumstance will prevent many persons belonging to the industrious classes from acquiring land in that locality—and that it will be offering undue facilities to land speculators—and consequently there will be a diminution in the receipts from such sale?
  - (3.) Whether it is the intention of the Government to take steps to prevent such an occurrence?
8. MR. TERRY to ask THE SECRETARY FOR PUBLIC WORKS,—If the Engineer for Harbours and Rivers, whose salary on the Estimates is £1,100 per annum, is allowed private practice?

9. **MR. A. CAMPBELL to ask THE COLONIAL TREASURER,—**  
 (1.) Do the Government intend to continue the payment of the proportion chargeable to New South Wales of the amount guaranteed by the Australian Colonies for subsidising the present Steam Postal Service *via* Suez?  
 (2.) Have the Government signified their acquiescence in the proposal lately made by the Contractors for running a fortnightly line between Sydney and Point de Galle, on payment of an additional subsidy of £25,000; if so, are the Government prepared to recommend that this Colony shall contribute a proportion of such sum (about £3,000 per annum,) pending the establishment of the proposed Postal Service *via* the Isthmus of Panama?
10. **MR. WINDEYER to ask THE SECRETARY FOR LANDS,—**  
 (1.) When the Government will proclaim the Road between Pitt Water and Manly Cove?  
 (2.) Whether the Government are aware that in consequence of there being no Public Wharf at Manly Cove, a large number of people were prohibited, last Easter Monday, from landing at the only safe landing place in that locality?
11. **MR. CLEMENTS to ask THE SECRETARY FOR PUBLIC WORKS,—**  
 (1.) Whether the Government are aware that what was formerly a Burial-ground at Bathurst is now a portion of George and Lambert streets in that Town?  
 (2.) Has, or will the Government take any steps for the removal of the remains interred there to some proper place?
12. **MR. CLEMENTS to ask THE SECRETARY FOR PUBLIC WORKS,—**  
 (1.) Whether any additional contracts have been entered into during the past month for the repair of the Western Road, between Ellison's Bar and Shepherd's Bar, on the Blue Mountains?  
 (2.) Are the Government aware that at present there are no men at work on that part of the road?
13. **MR. ROTTON to ask THE HONORABLE THE PREMIER,—**Have any Occupants of Pastoral Runs made default in payment of their Assessment; if so, has the Government taken, or does it intend to take, any steps to enforce payment.

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TUESDAY, APRIL 24.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Capital Punishments Abolition Bill; second reading.
  2. Bank Statements and Abstracts Regulation Bill; second reading.
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FRIDAY, APRIL 27.

OTHER BUSINESS—NOTICES OF MOTION:—

1. **MR. BYRNES to move,** That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
2. **DR. LANG to move,** That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.

T. A. MURRAY,  
Speaker

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No. 81.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 18 APRIL, 1860.

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

Vacant Seats:—

(1.) The Speaker having reported that he had received a letter from George Dunmore Lang, Esquire, resigning his Seat as Member for the Electoral District of The Tumut,—Mr. Robertson moved, That the Seat of George Dunmore Lang, Esquire, as Member for the Electoral District of The Tumut, hath become and is now vacant, by reason of the resignation thereof by the said George Dunmore Lang, Esquire.

Question put and passed.

(2.) The Speaker having reported that he had received a letter from Edward Mawney Sayers, Esquire, resigning his Seat as Member for the Electoral District of St. Leonard's,—

Mr. Robertson moved, That the Seat of Edward Mawney Sayers, Esquire, as Member for the Electoral District of St. Leonard's, hath become and is now vacant, by reason of the resignation thereof by the said Edward Mawney Sayers, Esquire.

Question put and passed.

2. Papers:—

1. Mr. Robertson laid upon the Table the following Papers:—

(1.) Local Court Rules, Adelong.

(2.) Vaccination (Report of Medical Adviser for 1859).

Ordered to be printed.

(3.) Return to Address in reference to Jane Ledden, adopted, on motion of Mr. Wild, on 16th February, 1860.

2. Mr. Weekes laid upon the Table:—

(4.) Trust Moneys Deposit Account, from 1st April, 1859, to 31st March, 1860.

Ordered to be printed.

3. School Boards:—Mr. Forster presented a Petition from the Rev. Dr. Fullerton, condemnatory of the action of the Denominational Board, and praying the adoption of such measures as may cause Denominational Schools to be placed, as non-vested Schools, under the inspection of the National Board.  
Petition received.

4. Presbyterian College Bill:—Dr. Lang presented a Petition from certain Presbyterians and other Inhabitants of Newcastle and District, praying for leave to bring in a Bill to Incorporate a Presbyterian College,—  
And Dr. Lang having produced the *Government Gazette*, and the *Empire* newspaper, containing Notice for four consecutive weeks, in the month of March last, of the intention to apply for such Bill,—  
Petition received.

5. Funds for National and Denominational Education:—The following Message from His Excellency the Governor General received and read:—

W. DENISON,

*Governor General.*

*Message No. 31.*

In accordance with the request contained in the Address from the Legislative Assembly, dated 10th April, 1860, the Governor General has directed that an additional sum of £5,000, in aid of National Education, and £5,000 in aid of Denominational Education, be placed on the Supplementary Estimate for 1860.

*Government House,*

18 April, 1860.

Ordered to be printed, and taken into consideration in Committee of Supply.

6. Municipality of Balmain:—Dr. Lang presented a Petition from certain householders of the Hamlet of Balmain, complaining that the said Municipality was illegally incorporated, and praying relief.  
Petition received.

7. Paper:—Mr. Arnold laid upon the Table a portion of the Correspondence with Mr. Rhodes, as Agent of Sir S. M. Peto & Co., relative to Railway Extension Contracts. Ordered to be printed.
8. Condition of the Working Classes of the Metropolis:—Mr. Parkes, as Chairman, brought up the Report from, and laid upon the Table the Proceedings of, and Minutes of Evidence taken before, the Select Committee on the Condition of the Working Classes of the Metropolis, with Appendix, &c. Ordered to be printed.
9. Leave of Absence for three weeks granted to Mr. Hyeronimus, on motion of Mr. Hart.
10. Member of Legislative Council as Witness:—Mr. Parkes moved, That the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee, to inquire into Tanners' and Curriers' Bill, and that Committee being desirous to examine the Honorable W. Bland, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.

*Legislative Assembly Chamber,*

*Sydney, 18th April, 1860.*

Speaker.

Question put and passed.

11. Indemnity Bill, on motion of Mr. Weekes, read a third time, and *passed*.  
Mr. Weekes then moved, That the Title of this Bill be, "*An Act to indemnify the Government as to certain payments for the Public Service.*"  
Question put and passed.  
Whereupon Mr. Weekes moved, That this Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to indemnify the Government as to certain payments for the Public Service,*" presents the same to the Legislative Council, for its concurrence.

*Legislative Assembly Chamber,*

*Sydney, 18th April, 1860.*

Speaker.

Question put and passed.

12. Supply:—Mr. Weekes moved, "That" the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty for the Service of the year 1859-60.  
Mr. Parkes moved, That the Question be amended by the omission of all the words following the word "That," with a view to the insertion in their place of the words,—  
"the second Order of the Day be postponed till after the Order of the Day for receiving Evidence on the Railway Works."  
Mr. Arnold submitting that the proposed Amendment was barred by the Sessional Order sanctioning the precedence of Government Business on Wednesday and Thursday;—  
And the Speaker stating that, in his opinion, the objection taken would not hold good, as, according to the Parliamentary practice recorded in May (4th edition), page 521, every description of Amendment may be moved on the Question for the Speaker to leave the Chair, before going into the Committee of Supply or Ways and Means;—  
Debate ensued.  
Question put,—That the words proposed to be omitted stand part of the Question.  
The House divided.

Ayes, 28.

Mr. Robertson,	Mr. Jenkins,	
Mr. Arnold,	Mr. Oxley,	
Mr. Hart,	Mr. Wild,	
Mr. Morris,	Mr. Terry,	
Mr. Black,	Mr. Hay,	
Mr. Lyons,	Mr. Laidlaw,	
Mr. Samuel,	Mr. Flott,	
Mr. Clements,	Mr. Pemell,	
Mr. Nott,	Mr. Rotton,	
Mr. Forster,	Mr. J. Campbell,	
Mr. Walker,	Mr. Weekes,	
Mr. Atkinson,	Mr. Russell,	
Mr. Cummings,	Mr. Asher,	} Tellers.
Mr. Close,	Mr. Gordon,	

Noes, 12.

Mr. Fiddington,	
Mr. Plunkett,	
Mr. Irving,	
Mr. Dickson,	
Mr. Hamilton,	
Rev. Dr. Lang,	
Mr. Parkes,	
Mr. Garrett,	
Mr. Broughton,	
Mr. Wilson,	
Mr. Lucas,	} Tellers.
Mr. Hoskins,	

Original Question then put and passed.

Whereupon the Speaker left the Chair, and the House resolved itself into the said Committee.

And the Committee continuing to sit till after Midnight,—

THURSDAY, 19 APRIL, 1860. A.M.

The Chairman reported progress, and obtained leave to sit again to-day.

13. Hawkesbury Benevolent Society's Act Amendment Bill:—Mr. Piddington (*by Consent*) moved, pursuant to notice (No. 4), That Mr. Parkes be added to the Committee on the Hawkesbury Benevolent Society's Act Amendment Bill.  
Question put and passed.

14. Church and School Lands:—Mr. Rotton (*by Consent*) moved, pursuant to notice (No. 6), on behalf of the Chairman of the Select Committee on Church and School Lands, That the Rev. Dr. Lang be added to that Committee.  
Question put and passed.  
The House adjourned, on motion of Mr. Robertson, at twenty minutes past One o'clock, A.M., until Three o'clock, P.M., this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, APRIL 19.

### Contingent Notices of Motion:—

1. MR. ARNOLD to move (*on the reading of the Order of the Day for going into Committee of the whole on Railway construction*),—That it be an instruction to such Committee to examine such further witnesses as in the course of the inquiry may seem desirable to such Committee.
2. MR. HODGSON to move (*upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read*),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

### GOVERNMENT BUSINESS—NOTICE OF MOTION:—

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

### ORDERS OF THE DAY:—

1. Supply; Resumption of the Committee.
2. Ways and Means; Resumption of the Committee.

### OTHER BUSINESS—ORDER OF THE DAY:—

1. Railway Works; Resumption of the Committee to take evidence on.

### NOTICES OF MOTION:—

1. MR. WILSON to move, That in the opinion of this House the Export Duty on Gold should not be levied after the 31st December, 1860.
2. MR. DICKSON to move, That the Petition presented by him, from certain Inhabitants of East Maitland, on the 13th April, be printed.
3. MR. WINDEYER to move for leave to bring in a Bill to amend the Affiliated Colleges Act, 18 Vict., No. 37.
4. MR. PLUNKETT to move for leave to bring in a Bill to enable the Corporation of Sydney to sell or exchange the present site for a Town Hall.
5. MR. MORT to move, That the Petition from certain Inhabitants of Sydney and Suburbs, praying for the removal of Slaughter Houses and other Nuisances from the precincts of the City, presented by him on the 31st January last, be referred to the Select Committee now sitting on the Tanners' and Curriers' Bill.
6. MR. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.
7. MR. HAY to move, That the Petition relative to the Seizure of Opium per "Kate Hooper," presented by him on the 29th February, be printed.
8. MR. MARTIN to move for leave to introduce a Bill to amend the District Courts Act.
9. MR. ATKINSON to move, That the Petition presented by him on the 5th April, relative to the withdrawal of State Aid to Religion, be printed.

### ORDERS OF THE DAY:—

1. Harbor, Pilotage, and Navigation Bill; second reading.
2. Lien on Wool Act Continuation Bill; second reading.
3. State Aid to Religion Abolition Bill; second reading.
4. Official Salaries Alteration Bill; second reading.
5. Public Lands Bill; second reading.
6. Land Tax Bill; second reading.
7. Sydney Municipal Elections Bill; second reading.
8. Necropolis Act Extension Bill; to be further considered in Committee.
9. Mount Keira Tramroad Bill; to be further considered in Committee.
10. Public Ferries Law Amendment Bill; second reading.
11. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."
12. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
13. Sydney Council Debentures Bill; to be considered in Committee.
14. Wesley College Bill; third reading.
15. Freight and Charges Bill; second reading.
16. Law of Primogeniture Abolition Bill; second reading.
17. Inquests concerning Fires Bill; second reading.

Questions:—

**Questions:—**

1. **MR. WILSON to ask THE SECRETARY FOR LANDS,—**
  - (1.) What grants on Jumbacumbene Swamp are affected by the opinion lately given by the Solicitor General?
  - (2.) Do the Government intend to allow private individuals to take possession of Government land on said Swamp to the injury of the mining population?
  - (3.) If not, when do the Government intend to define the boundary line between the Government land and private property on said Swamp?
2. **MR. SAMUEL to ask THE SECRETARY FOR WORKS,—**Whether the Government intend to take any steps to remedy the serious evil which is taking place by the filling up of the Harbour, occasioned by the accumulation of silt discharged from the Sewers, the Tank Stream, and the Streets of the City?
3. **MR. HOSKINS to ask THE SECRETARY FOR LANDS,—**Whether the Government are aware that the residents of Tabulam and its vicinity, if desirous of proceeding to Casino to purchase land, must necessarily cross the Richmond River, which frequently is not fordable for three months in the year?
4. **MR. PLUNKETT to ask THE HONORABLE THE PREMIER,—**
  - (1.) Whether there is any Minute of the Executive Council referring to the Report of the Board appointed to inquire into disputes between the Collector of Customs and Customs Agents and others?
  - (2.) Whether any correspondence or letter has been addressed to any Member of the Executive Council upon the subject of the Inquiry, by His Excellency the Governor General?
  - (3.) Is there any objection to lay any such Minute or letter upon the Table of this House?

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**FRIDAY, APRIL 20.****OTHER BUSINESS—NOTICES OF MOTION:—**

1. **MR. FORSTER to move,** That the Petition presented by him on the 18th April, relative to the Denominational School Board, be printed.
2. **DR. LANG to move** for leave to bring in a Bill to Incorporate a Presbyterian College.
3. **DR. LANG to move,** That the Petition presented by him on the 18th April, from certain of the householders of Balmain, be printed.
4. **MR. LUCAS to move,** That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate, a sum not less than £1,000 for the purpose of repairing the Cook's River Dam.

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**TUESDAY, APRIL 24.****OTHER BUSINESS—ORDERS OF THE DAY:—**

1. Capital Punishments Abolition Bill; second reading.
2. Bank Statements and Abstracts Regulation Bill; second reading.

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**FRIDAY, APRIL 27.****OTHER BUSINESS—NOTICES OF MOTION:—**

1. **MR. BYRNES to move,** That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
2. **DR. LANG to move,** That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
3. **MR. HART to move,** That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all Correspondence between the Government and Mr. Lewis Markham, and any other persons, relative to the appointment of a District Registrar at Armidale, in lieu of Mr. Baker, resigned.

**T. A. MURRAY,**  
*Speaker*



No. 82.

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

THURSDAY, 19 APRIL, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Members of Legislative Council as Witnesses:—The Speaker reported the following Messages from the Legislative Council:—

(1.) MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated the 18th instant, requesting leave for the Honorable James Robert Wilshire, a Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly, on the Tanners' and Carriers' Bill, the Council acquaints the Assembly that leave has been granted to its said Member to attend and be examined by the said Committee, if he think fit.

*Legislative Council Chamber,  
Sydney, 18th April, 1860.*

W. W. BURTON,  
President.

(2.) MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated the 18th instant, requesting leave for the Honorable William Bland, a Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly, on the Tanners' and Carriers' Bill, the Council acquaints the Assembly that leave has been granted to its said Member to attend and be examined by the said Committee, if he think fit.

*Legislative Council Chamber,  
Sydney, 18th April, 1860.*

W. W. BURTON,  
President.

2. Moreton Bay Immigration and Land Company's Act Amendment Bill:—Mr. Morris, as Chairman, brought up the Report from, and laid upon the Table the Proceedings of, and Minutes of Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on the 3rd April instant, together with the Bill as amended in the Committee.

Ordered to be printed.

Mr. Morris then moved, That the second reading of this Bill stand an Order of the Day for Tuesday next.

3. Mr. C. F. Gorton:—Mr. Wild, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Evidence taken before, the Select Committee appointed on 14th September last on the case of Mr. C. F. Gorton.

Ordered to be printed.

4. Committee of Elections and Qualifications:—The Speaker, pursuant to the requirement of the Electoral Act of 1858, laid upon the Table his Warrant appointing William Forster, Esquire, and John Garrett, Esquire, to be Members of the Committee of Elections and Qualifications, for the present Session, of which the following is a Copy:—

" LEGISLATIVE ASSEMBLY.

" By the Honorable the Speaker of the Legislative Assembly  
" of New South Wales.

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

" John Garrett, Esquire,

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

" Given under my Hand, at the Legislative Assembly Chamber,  
" Macquarie-street, Sydney, this nineteenth day of April, in the  
" year of our Lord one thousand eight hundred and sixty.

" T. A. MURRAY,  
" Speaker."

## 5. Gunpowder Export Restriction Bill :—

(1.) Mr. Weekes moved, pursuant to notice, for leave to bring in a Bill to regulate for a limited time the Exportation of Gunpowder and Warlike Stores from the Colony of New South Wales.

Question put and passed; *Ordered*, that the Mover and Seconder prepare and bring in the Bill.

(2.) Mr. Weekes, having presented this Bill, Bill intituled "*A Bill to regulate for a limited time the Exportation of Gunpowder and Warlike Stores from the Colony of New South Wales*," read a first time; ordered to be printed, and read a second time on Wednesday next.

## 6. Supply :—On motion of Mr. Arnold, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty for the Service of the year 1859-60:

And the Committee continuing to sit till after Midnight,—

FRIDAY, 20 APRIL, 1860. A.M.

The Chairman obtained leave to sit again on Wednesday next, and reported the following Resolutions :—

## ESTIMATES FOR 1860.

## No. VII.—SECRETARY FOR PUBLIC WORKS.

(51.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,150, to defray the salaries and contingencies of the Department of Public Works, for the year 1860:

(52.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,470, to defray the salaries and contingencies of the General Establishment of the Railway Branch of the Department of Internal Communication, for the year 1860.

(53.) Resolved, that there be granted to Her Majesty, a sum not exceeding £54,725, to defray the salaries, contingencies, and working expenses of the Establishments of existing lines of Railway, under the Railway Branch of the Department of Internal Communication, for the year 1860.

(54.) Resolved, that there be granted to Her Majesty, a sum not exceeding £10,000, being a contingent sum to cover working expenses of any additional length of line that may be opened for public traffic in 1860, under the Railway Branch of the Department of Internal Communication, for the year 1860.

(55.) Resolved, that there be granted to Her Majesty, a sum not exceeding £11,179, to defray the salaries, allowances, contingencies, and working expenses of the Establishment of the Electric Telegraph Branch of the Department of Internal Communication, for the year 1860.

(56.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,680, to defray the salaries and contingencies of the General Establishment of the Road Branch of the Department of Internal Communication, for the year 1860:

(57.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,493, to defray the salaries of the Field Establishment of the Road Branch of the Department of Internal Communication, for the year 1860.

(58.) Resolved, that there be granted to Her Majesty, a sum not exceeding £97,039, to defray the expenso of construction and maintenance of Roads, under the Road Branch of the Department of Internal Communication, for the year 1860.

(59.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,159, to defray the salaries and contingencies of the Establishment of the Colonial Architect, for the year 1860.

(60.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,226, to defray the expense of Public Works for the year 1860, being—£300 for grassing Sand Hills, near Sydney; £150 for fencing General Cemetery, Parramatta; £150 for the same at Tamworth; and £626 for alterations and additions to the Abattoirs, Glebe Island.

(61.) Resolved, that there be granted to Her Majesty, a sum not exceeding £36,015, to defray the expense of Public Buildings for the year 1860; being £10,000 for ordinary repairs, alterations, and additions to Public Buildings generally; £1,500 for repairs to Military Barracks and other Buildings; £250 for lighting lamps, sweeping chimnies, &c., Victoria Barracks; £3,000 to provide Furniture and Fittings for the Public Offices generally; £2,000 for providing Materials and Implements for employment of Prisoners at Darlinghurst Gaol; £1,500 for same at Parramatta Gaol; £500 for same at Goulburn Gaol; £500 for same at Maitland Gaol; £500 for same at Bathurst Gaol; £1,000 to be expended under the Hyde Park Committee; £50 for fencing Police Paddock, Balranald; £750 for erection of additional Buildings at Camp Cove, for Pilots; £1,245 for additional alterations and repairs to the Royal Mint; £400 for providing an Aviary for Rare Birds presented to the Government by A. Denison, Esq.; £600 for the erection of a Police Office and Watch House at Balranald; £600 for the erection of a Police Office at Lismore, Casino; £400 for the erection of a Watch House, do.; £400 for the erection of a Lock-up near Hartley; £500 for the erection of a Police Office at Nowra; £300 for the erection of a Watch House,

House, do.; £500 for the erection of a Police Office, Ulladulla; £300 for the erection of a Watch House, do.; £300 for the erection of a Watch House, Tenterfield; £300 for the same at Bingera; £600 for the erection of a Police Office at Adelong; £400 for the erection of a Watch House, do.; £500 for the erection of a Police Office, Timbarra; £300 for the erection of a Watch House, do.; £300 for the erection of Patrol Barracks at Goulburn; £400 for the erection of a Watch House, Lake Macquarie Road; £200 for the same at Howlong, near Albury; £300 for the erection of a Police Office at Gunnedah; £400 for the same at Morpeth; £500 for the erection of a Watch House at Penrith; £400 for additions to Court House, East Maitland; £350 for the same at Muswellbrook; £20, a further sum, for the erection of a Police Office and Watch House at Hay (Lang's Crossing Place); £1,670 for additions and improvements to the Protestant Orphan School, Parramatta; £1,980 for do., Royal Artillery Barracks, Dawes' Point; and £300 for the erection of Patrol Barracks at Armidale.

(62.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,400, to defray the salaries and contingencies of the Engineer's Department for Harbors and River Navigation, for the year 1860.

(63.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,870, to defray the salaries and contingencies of the Department of Harbors and River Navigation for Steam Dredge "Hunter," for the year 1860.

(64.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,924, to defray the salaries and contingencies of the Department of Harbors and River Navigation for the Steam Dredge "Hercules," for the year 1860.

(65.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,002, to defray the salaries and contingencies of the Department of Harbors and River Navigation for the Glebe Island Punts, for the year 1860.

(66.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,795, to defray expense of Public Works of the Department of Harbors and River Navigation, for the year 1860; being—£675 for Sea Wall, Botanic Gardens; £1,000 for landing silt from Dredge, and forming ground; £1,000 for extension of Dyke on Flats, River Hunter; £120 for extension of Jetty, Ulladulla; and £3,000 for Deodorising Apparatus, Main Sewer.

(67.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,494, to defray the salaries and contingencies of the Fitz Roy Dock Establishment, for the year 1860.

#### TO BE PROVIDED BY LOAN.

(68.) Resolved, that there be granted to Her Majesty, for the year 1860, to be provided for by Loan, a sum not exceeding £28,370, to defray salaries, allowances, and contingencies of the Railway Branch of the Department of Internal Communication, being £1,300 for valuation of land; £9,021 for authorised extension of Works in progress; £23,949 for Trial Surveys; and £54,100 for New Works.

(69.) Resolved, that there be granted to Her Majesty, a sum not exceeding £67,850, for the year 1860, to be provided for by Loan, to defray the expenses of the Electric Telegraph Branch of the Department of Internal Communication; being £15,000 for proposed extension of Line from Gundagai *via* Wagga Wagga to Deniliquin, to connect with Victorian and South Australian Systems at Echuca; £3,350 for purchase of Line from Deniliquin to Echuca; £40,000 for proposed extension of Line from West Maitland to the boundary of Queensland, *via* Singleton, Scone, Murrumbidgee, Tamworth, Bendemere, and Armidale; £6,000 for extension of Western Line to Mudgee; and £3,000 for extension to Orange.

(70.) Resolved, that there be granted to Her Majesty, a sum not exceeding £10,225, for Public Works, for the year 1860, to be provided for by Loan, being contribution of a moiety of the expense for the erection of a Light House on Gabo Island.

(71.) Resolved, that there be granted to Her Majesty, a sum not exceeding £36,200, for Public Works, for the year 1860, to be provided for by Loan,—being £5,000 for renewal of Circular Quay; £2,000 for construction of Pier at extension of Dowling-street; £4,200 for extension of Wharf Accommodation at Newcastle; £10,000 for improvements to Wollongong Harbor; £10,000 for improvements to Kiama Harbor; £1,000 for removing Obstructions to the Navigation of the Moruya River; £1,000 for the construction of Wharf at Eden; £1,000 for improvement to the Navigation of the Crookhaven River; and £2,000 for improvement to the Navigation of the Rivers Murray and Murrumbidgee.

#### NO. VIII.—AUDITOR GENERAL.

(72.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,822, to defray the salaries and contingencies of the Establishment of the Auditor General, for the year 1860.

#### NO. I.—SCHEDULES.

(73.) Resolved, that there be granted to Her Majesty, in the year 1860, a sum not exceeding £2,832 11s. 7d., to defray Pensions not provided for by Schedule (B) to Schedule (1) of the Act of the Imperial Parliament, 18 & 19 Vict., Cap. 54, being inclusive of £733 6s. 8d., as follows, that is to say,—£200 to Lady Amelia S. Forbes, Widow of Sir Francis Forbes, formerly Chief Justice; £200 to Lady Harriett Dowling, Widow of Sir James Dowling, late Chief Justice; £100 to Mrs. Anne Kinchela, Widow of the late Mr. Justice Kinchela; £100 to Mrs. Anne Petrie, Daughter of the late Captain Flinders, R.N.; and £133 6s. 8d., to Mr. Edward Robert Stack, late Master of the Benevolent Asylum at Sydney.

No.

## No. II.—EXECUTIVE AND LEGISLATIVE.

(74.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,745, to defray the salaries and contingencies of the Legislative Council Establishment, for the year 1860.

(75.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,447, to defray the salaries and contingencies of the Legislative Assembly Establishment, for the year 1860.

(76.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,043, to defray the salaries and contingencies of the Joint-Establishment of the Legislative Council and Assembly, for the year 1860.

## No. III.—THE CHIEF SECRETARY.

(77.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,753, to defray the salaries and contingencies of the Chief Secretary's Establishment, for the year 1860.

(78.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,327, to defray the salaries and contingencies of the Registrar General's Establishment, for the year 1860.

Mr. Weekes then moved, That this House do now adopt these Resolutions.

Question put and passed.

The House adjourned, on motion of Mr. Robertson, at twenty minutes before One o'clock A.M., until Three o'clock P.M. this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, APRIL 20.

*Contingent Notices of Motion :—*

1. MR. ARNOLD to move (*on the reading of the Order of the Day for going into Committee of the whole on Railway construction*),—That it be an instruction to such Committee to examine such further witnesses as in the course of the inquiry may seem desirable to such Committee.
2. MR. HODGSON to move (*upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read*),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

## OTHER BUSINESS—ORDER OF THE DAY :—

1. Railway Works; Resumption of the Committee to take evidence on.

## NOTICES OF MOTION :—

1. MR. FORSTER to move, That the Petition presented by him on the 18th April, relative to the Denominational School Board, be printed.
2. DR. LANG to move for leave to bring in a Bill to Incorporate a Presbyterian College.
3. DR. LANG to move, That the Petition presented by him on the 18th April, from certain of the householders of Balmain, be printed.
4. MR. LUCAS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate, a sum not less than £1,000 for the purpose of repairing the Cook's River Dam.
5. MR. BLACK to move, That the names of Mr. Garrett, Mr. Close, and Mr. Scott, be substituted for those of Mr. Jones, Mr. Hawkins, and Mr. Cape, as Members of the Select Committee appointed to take into consideration the Petition of the Parishioners of St. Andrew's, regarding the appointment of the Dean of St. Andrew's.
6. MR. WILSON to move, That in the opinion of this House the Export Duty on Gold should not be levied after the 31st December, 1860.
7. MR. DICKSON to move, That the Petition presented by him, from certain Inhabitants of East Maitland, on the 13th April, be printed.
8. MR. WINDEYER to move for leave to bring in a Bill to amend the Affiliated Colleges Act, 18 Vict., No. 37.
9. MR. PLUNKETT to move for leave to bring in a Bill to enable the Corporation of Sydney to sell or exchange the present site for a Town Hall.
10. MR. MORT to move, That the Petition from certain Inhabitants of Sydney and Suburbs, praying for the removal of Slaughter Houses and other Nuisances from the precincts of the City, presented by him on the 31st January last, be referred to the Select Committee now sitting on the Tanners' and Curriers' Bill.
11. MR. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.
12. MR. HAY to move, That the Petition relative to the Seizure of Opium per "Kate Hooper," presented by him on the 20th February, be printed.
13. MR. MARTIN to move for leave to introduce a Bill to amend the District Courts Act.
14. MR. ATKINSON to move, That the Petition presented by him on the 5th April, relative to the withdrawal of State Aid to Religion, be printed.

ORDERS

## ORDERS OF THE DAY:—

1. Harbor, Pilotage, and Navigation Bill; second reading.
2. Lien on Wool Act Continuation Bill; second reading.
3. State Aid to Religion Abolition Bill; second reading.
4. Official Salaries Alteration Bill; second reading.
5. Public Lands Bill; second reading.
6. Land Tax Bill; second reading.
7. Sydney Municipal Elections Bill; second reading.
8. Necropolis Act Extension Bill; to be further considered in Committee.
9. Mount Keira Tramroad Bill; to be further considered in Committee.
10. Public Ferries Law Amendment Bill; second reading.
11. Primary Education Encouragement Bill; Resumption of the adjourned debate on Mr. Oxley's motion, "That this Bill be now read a second time."
12. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
13. Sydney Council Debentures Bill; to be considered in Committee.
14. Wesley College Bill; third reading.
15. Freight and Charges Bill; second reading.
16. Law of Primogeniture Abolition Bill; second reading.
17. Inquests concerning Fires Bill; second reading.

## TUESDAY, APRIL 24.

## OTHER BUSINESS—NOTICE OF MOTION:—

1. DR. LANG to move, That there be laid upon the Table of this House, as speedily as possible, a Return containing the following particulars respecting each Charitable and Educational Institution, wholly or partly maintained by Public Funds, within the City of Sydney and County of Cumberland, from 1st day of January, 1855, to the 31st day of December, 1859.
  - (1.) The names and dates of appointment of the Members of the Board of Management, or of the Committee and Sub-Committees, and of the Official Visitors, if any, of such Institutions.
  - (2.) The name and date of the appointment of each Officer or other person permanently employed by or in connection with each several Institution—and in case of more than one office in such Institution being held by one and the same person, the date of the appointment to each several office—together with the particulars of the annual salary, fees, emoluments, allowances, and total remuneration derived from each several Institution, by each Officer or other person permanently employed therein.
  - (3.) The number of attendances during each year of each Member at the Meetings of every such Board of Management, or of the Committee and Sub-Committees; also the number of visits or inspections made in each year by the Official Visitor.
  - (4.) The number of times in each year in which the transaction of the business of each several Institution was postponed in consequence of the non-attendance of a Quorum, or a sufficient number of Members of such Board of Management, Committee, or Sub-Committee, to transact such business.
  - (5.) A detailed account of all moneys received and expended in each year, by or under the authority of each several Board of Management or Committee and Sub-Committees, of each several Charitable or Educational Institution before referred to: including—with especial reference to the National and Denominational Boards of Education,—a Statement—
    1. Of the number of Schools existing in each of the years before specified, under the management of each of the said Boards.
    2. The number of such Schools visited or inspected in each year by each Inspector or Organizing Master of each of the said Boards.
    3. The rate of remuneration, exclusive of annual salary, paid to each Inspector or Organizing Master, for travelling or other expenses, while engaged in the performance of his especial duty.
    4. The total sum paid in each of the before-mentioned years, to each Inspector for such purpose.
    5. The total number of Schools visited, organized, or inspected in each year, by the direction or under the authority of each of the abovenamed Educational Boards; and the total expense incurred in each year by each Board for such purpose.

## ORDERS OF THE DAY:—

1. Capital Punishments Abolition Bill; second reading.
2. Bank Statements and Abstracts Regulation Bill; second reading.
3. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.

## Question:—

1. MR. DARVALL to ask THE HONORABLE THE PREMIER,—Whether it is the intention of the Government to propose to the Government of Queensland, any, and what, mode of determining the proportion of the Joint Debt of the two Colonies, to be paid by each Colony respectively?

WEDNESDAY, APRIL 25.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Gunpowder Export Restriction Bill; second reading.
  2. Supply; Resumption of the Committee.
  3. Ways and Means; Resumption of the Committee.
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FRIDAY, APRIL 27.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
2. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
3. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all Correspondence between the Government and Mr. Lewis Markham, and any other persons, relative to the appointment of a District Registrar at Armidale, in lieu of Mr. Baker, resigned.

T. A. MURRAY,  
*Speaker.*

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[Price, 6d.]

No. 83.

# VOTES AND PROCEEDINGS

## OF THE

# LEGISLATIVE ASSEMBLY.

FRIDAY, 20 APRIL, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Sydney Insurance Company's Act Amendment Bill:—The Speaker reported that, while the House was in Committee of Supply, yesterday, the following Message was received from the Legislative Council:—  
 MR. SPEAKER,  
 The Legislative Council having this day agreed to the Bill, intituled "*An Act to amend an Act, intituled 'An Act to Incorporate a Company to be called the 'Sydney Insurance Company,'*" returns the same to the Legislative Assembly without amendment.  
*Legislative Council Chamber,*  
*Sydney, 18th April, 1860.*  
 W. W. BURTON,  
 President.
2. Question of Order (*Mr. C. F. Gorton*):—Mr. Wild, adverting to the Report and Evidence in the case of Mr. C. F. Gorton, presented by him to the House yesterday, (as recorded in Entry No. 3 of Votes and Proceedings No. 82), stated that that Report, although concurred in individually by Members of the Select Committee, had, from inadvertence on his part, neither been submitted to the Committee in its collective capacity, nor entered upon the records of its Proceedings.  
 Mr. Wild, therefore, moved (with reference to the principle laid down in Bourke's Precedents, page 111,) that he have leave to withdraw the said Report and Evidence.  
 Question put and passed.  
 Mr. Wild then moved, That the order for printing the said Report and Evidence (recorded in the said entry) be rescinded.  
 Question put and passed.
3. Papers:—  
 (1.) Mr. Weekes laid upon the Table, Letters from the Auditor General, (dated respectively, 19th August and 5th November, 1859,) on the subject of the withdrawal, from the Estimates for 1860, of £100 additional salary of that Officer,—  
 And the same being read at length by the Clerk,—  
 Ordered to be printed.  
 (2.) Mr. Robertson laid upon the Table, Return (as far as the information can be now obtained) to Address, in reference to Criminals Condemned to Death since 1840, adopted, on motion of Mr. Wilson, on 16th September, 1859.  
 Ordered to be printed.
4. Presbyterian College Bill:—The following Petitions were presented against the proposed introduction of this Bill:—  
 (1.) By Mr. Hay, from certain Presbyterians of the City of Sydney.  
 (2.) By Mr. Hamilton, from the Minister and certain Elders of the Scots' Church, Pitt-street, Sydney.  
 Petitions received.
5. Postponement:—The Order of the Day for the Resumption of the Committee to take Evidence on Railway Works postponed, on motion of Mr. Parkes, until the Notices of Motion, Nos. 1 to 5, inclusive, shall have been disposed of.
6. School Boards:—Mr. Forster moved, pursuant to notice, That the Petition presented by him on the 18th April, relative to the Denominational School Board, be printed.  
 Question put and passed.  
 Ordered to be printed.
7. Motion withdrawn:—Dr. Lang withdrew the motion standing in his name, No. 2 on the Notice Paper for to-day.
8. Municipality of Balmain:—Dr. Lang moved, pursuant to notice, That the Petition presented by him on the 18th April, from certain of the householders of Balmain, be printed.  
 Question put and passed.  
 Ordered to be printed.
9. Postponement:—Mr. Lucas amended and postponed the motion standing in his name, No. 4 on the Notice Paper for to-day, until this day week.

10. James Davidson :—Dr. Lang presented a Petition from James Davidson, of Sydney, builder, complaining of hardship and loss alleged to have been sustained by him, in consequence of his having become a Sub-Contractor for certain work connected with the erection of the Observatory and Time-Ball Tower.  
Petition received.
11. The Dean of St. Andrew's, Sydney :—Mr. Black moved, pursuant to notice, That the names of Mr. Garrett, Mr. Close, and Mr. Scott, be substituted for those of Mr. Jones, Mr. Hawkins, and Mr. Cape, as Members of the Select Committee appointed to take into consideration the Petition of the Parishioners of St. Andrew's, regarding the appointment of the Dean of St. Andrew's.  
Debate ensued.  
Question (*as amended by consent*),—That the names of Mr. Garrett, Mr. Close, and Mr. Scott be added to the Committee appointed to take into consideration the Petition of the Parishioners of St. Andrew's regarding the appointment of the Dean of St. Andrew's, in the place of Mr. Jones, Mr. Hawkins, and Mr. Cape, who have ceased to be Members of this House,—and that the name of Mr. Plunkett be discharged from the Committee, and the name of Mr. Piddington be added thereto,—put and passed.
12. Business Arrangement :—Mr. Parkes moved, That the House do now proceed to the Orders of the Day.  
Debate ensued.  
Question put and passed.  
*Orders of the Day considered accordingly.*
13. Committee to take Evidence on Railway Works :—On the Order of the Day being read for the Resumption of the Committee,—(who had been instructed to examine at the Bar, Alexander Rhodes, Esquire, Charles Fowler, Esquire, Captain B. H. Martindale, and John Whitton, Esquire, in reference thereto)—  
Mr. Arnold moved, pursuant to Contingent Notice, That it be an instruction to such Committee to examine such further witnesses as in the course of the inquiry may seem desirable to such Committee.  
Debate ensued.  
Question put and passed.  
Mr. Parkes then moved, That the Speaker do now leave the Chair, and the House resolve itself into the said Committee.  
Question put.  
The House divided.

Ayes, 33.

Mr. Arnold,	Mr. Morris,
Mr. Weekes,	Mr. Atkinson,
Mr. Clements,	Mr. Hurley,
Mr. Garrett,	Mr. Plunkett,
Mr. Parkes,	Mr. Flett,
Mr. Hart,	Mr. Pemell,
Mr. Russell,	Mr. Laidlaw,
Mr. Lyons,	Mr. Lucas,
Mr. Broughton,	Mr. A. Campbell,
Mr. Windeyer,	Mr. Gordon,
Mr. Faucett,	Mr. Cummings,
Mr. Piddington,	Mr. Dickson,
Rev. Dr. Lang,	Mr. Byrnes,
Mr. Hoskins,	Mr. Robertson,
Mr. Hamilton,	Mr. Asher,
Mr. Wild,	Mr. Cooper,
Mr. Black,	

} Tellers.

Noes, 5.

Mr. Mort,
Mr. Darvall,
Mr. Forster,
Mr. Rotton,
Mr. Terry,

} Tellers.

The Chairman reported progress, and obtained leave to sit again on Tuesday next,—to take precedence of all other Business on the Paper for that day.

14. Harbor, Pilotage, and Navigation Bill :—The Order of the Day for the second reading of this Bill discharged from the Paper, on motion of Mr. Weekes.  
Bill, then, on motion of Mr. Weekes, discharged from the Paper.
15. Postponements :—  
(1.) The second reading of the Lien on Wool Act Continuation Bill postponed, on motion of Mr. Morris, until Tuesday next.  
(2.) The second reading of the State Aid to Religion Abolition Bill postponed, on motion of Mr. Forster, until this day week.
16. Official Salaries Alteration Bill :—Mr. Forster moved, That this Bill be "now" read a second time.  
Mr. Martin moved, That the Question be amended by the omission of the word "now," with a view to add at the end the words "this day six months."  
Debate ensued.  
Question put, That the word proposed to be omitted stand part of the Question.  
The House divided.

Ayes, 22.

Mr. Robertson,	Mr. Flett,
Mr. Arnold,	Mr. Cummings,
Mr. Weekes,	Mr. Byrnes,
Mr. Windeyer,	Mr. Broughton,
Mr. Parkes,	Mr. Macleay,
Mr. Rotton,	Mr. Jenkins,
Mr. Gray,	Mr. Hurley,
Mr. Gordon,	Mr. Laidlaw,
Mr. Piddington,	Mr. Hoskins,
Mr. Black,	Mr. Lucas,
Mr. Forster,	Mr. Wilson,

} Tellers.

Noes, 7.

Mr. Plunkett,
Mr. Martin,
Mr. Roberts,
Mr. Atkinson,
Mr. Hay,
Mr. Faucett,
Mr. Morris,

} Tellers.



Original Question put and passed,—

And Bill read a second time.

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

Question put.

The House divided.

Ayes, 16.

Mr. Lucas,	Mr. Cummings,	} Tellers.
Mr. Robertson,	Mr. Broughton,	
Mr. Weekes,	Mr. Windeyer,	
Mr. Gray,	Mr. Parkes,	
Mr. Hoskins,	Mr. Piddington,	
Mr. Gordon,	Mr. Wilson,	
Mr. Black,	Mr. Rotton,	
Mr. Flett,	Mr. Forster,	

Noes, 4.

Mr. Jenkins,	} Tellers.
Mr. Roberts,	
Mr. Faucett,	
Mr. Morris,	

Whereupon the Speaker left the Chair, and the House resolved itself into the said Committee.

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

The House adjourned, on motion of Mr. Robertson, at ten minutes before Twelve o'clock, until Tuesday next, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, APRIL 24.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Railway Works; Resumption of the Committee to take evidence on.

NOTICES OF MOTION:—

1. DR. LANG to move, That there be laid upon the Table of this House, as speedily as possible, a Return containing the following particulars respecting each Charitable and Educational Institution, wholly or partly maintained by Public Funds, within the City of Sydney and County of Cumberland, from 1st day of January, 1855, to the 31st day of December, 1859.
  - (1.) The names and dates of appointment of the Members of the Board of Management, or of the Committee and Sub-Committees, and of the Official Visitors, if any, of such Institutions.
  - (2.) The name and date of the appointment of each Officer or other person permanently employed by or in connection with each several Institution—and in case of more than one office in such Institution being held by one and the same person, the date of the appointment to each several office—together with the particulars of the annual salary, fees, emoluments, allowances, and total remuneration derived from each several Institution, by each Officer or other person permanently employed therein.
  - (3.) The number of attendances during each year of each Member at the Meetings of every such Board of Management, or of the Committee and Sub-Committees; also the number of visits or inspections made in each year by the Official Visitor.
  - (4.) The number of times in each year in which the transaction of the business of each several Institution was postponed in consequence of the non-attendance of a Quorum, or a sufficient number of Members of such Board of Management, Committee, or Sub-Committee, to transact such business.
  - (5.) A detailed account of all moneys received and expended in each year, by or under the authority of each several Board of Management or Committee and Sub-Committees, of each several Charitable or Educational Institution before referred to: including—with especial reference to the National and Denominational Boards of Education,—a Statement—
    1. Of the number of Schools existing in each of the years before specified, under the management of each of the said Boards.
    2. The number of such Schools visited or inspected in each year by each Inspector or Organizing Master of each of the said Boards.
    3. The rate of remuneration, exclusive of annual salary, paid to each Inspector or Organizing Master, for travelling or other expenses, while engaged in the performance of his especial duty.
    4. The total sum paid in each of the before-mentioned years, to each Inspector for such purpose.
    5. The total number of Schools visited, organized, or inspected in each year, by the direction or under the authority of each of the abovenamed Educational Boards; and the total expense incurred in each year by each Board for such purpose.
2. MR. HAY to move, That the Petition presented by him on the 20th April, against the proposed Presbyterian College Bill, be printed.
3. MR. HAMILTON to move, That the Petition presented by him on the 20th April, against the proposed Presbyterian College Bill, be printed.
4. DR. LANG to move, That the Petition, presented by him on Friday, the 20th April, from James Davidson, builder, be printed.

5. MR. WILSON to move, That in the opinion of this House the Export Duty on Gold should not be levied after the 31st December, 1860.
6. MR. DICKSON to move, That the Petition presented by him, from certain Inhabitants of East Maitland, on the 13th April, be printed.
7. MR. WINDEYER to move for leave to bring in a Bill to amend the Affiliated Colleges Act, 18 Vict., No. 37.
8. MR. PLUNKETT to move for leave to bring in a Bill to enable the Corporation of Sydney to sell or exchange the present site for a Town Hall.
9. MR. MORT to move, That the Petition from certain Inhabitants of Sydney and Suburbs, praying for the removal of Slaughter Houses and other Nuisances from the precincts of the City, presented by him on the 31st January last, be referred to the Select Committee now sitting on the Tanners' and Curriers' Bill.
10. MR. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.
11. MR. HAY to move, That the Petition relative to the Seizure of Opium per "Kate Hooper," presented by him on the 29th February, be printed.
12. MR. MARTIN to move for leave to introduce a Bill to amend the District Courts Act.
13. MR. ATKINSON to move, That the Petition presented by him on the 5th April, relative to the withdrawal of State Aid to Religion, be printed.

ORDERS OF THE DAY :—

1. Capital Punishments Abolition Bill ; second reading.
2. Bank Statements and Abstracts Regulation Bill ; second reading.
3. Lieut. Seaver, R. N. ; consideration in Committee of Address for Compensation.
4. Moreton Bay Immigration and Land Company's Act Amendment Bill ; second reading.
5. Lien on Wool Act Continuation Bill ; second reading.
6. Official Salaries Alteration Bill ; to be further considered in Committee.
7. Public Lands Bill ; second reading.
8. Land Tax Bill ; second reading.
9. Sydney Municipal Elections Bill ; second reading.
10. Necropolis Act Extension Bill ; to be further considered in Committee.
11. Mount Keira Tramroad Bill ; to be further considered in Committee.
12. Public Ferries Law Amendment Bill ; second reading.
13. Primary Education Encouragement Bill ; Resumption of the adjourned debate on Mr. Oxley's motion, " That this Bill be now read a second time. "
14. Funds for Experimental Quartz Crushing Machine ; consideration in Committee of Address for.
15. Sydney Council Debentures Bill ; to be considered in Committee.
16. Wesley College Bill ; third reading.
17. Freight and Charges Bill ; second reading.
18. Law of Primogeniture Abolition Bill ; second reading.
19. Inquests concerning Fires Bill ; second reading.

Questions :—

1. MR. DARVALL to ask THE HONORABLE THE PREMIER,—Whether it is the intention of the Government to propose to the Government of Queensland any, and what, mode of determining the proportion of the Joint Debt of the two Colonies, to be paid by each Colony respectively ?
2. MR. ASHER to ask THE HONORABLE THE PREMIER,—Whether any inquiry has been made with reference to Mr. John Rogers' fitness to be on the Commission of the Peace ; and if so, who was entrusted with such inquiry, and what was the result ?

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WEDNESDAY, APRIL 25.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Gunpowder Export Restriction Bill ; second reading.
  2. Supply ; Resumption of the Committee.
  3. Ways and Means ; Resumption of the Committee.
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FRIDAY, APRIL 27.

Contingent Notice of Motion :—

1. MR. HODGSON to move (upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.

2. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
3. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all Correspondence between the Government and Mr. Lewis Markham, and any other persons, relative to the appointment of a District Registrar at Armidale, in lieu of Mr. Baker, resigned.
4. MR. LUCAS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate for the present year, a sum not less than £1,000 for the purpose of repairing the Cook's River Dam.

ORDER OF THE DAY :—

1. State Aid to Religion Abolition Bill; second reading.
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FRIDAY, MAY 4.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. GRAY to move, That the Petition of Thomas George Rusden, Esquire, against the decision of the Election Committee in the case of the Petition against the Return of James Hart, Esquire, at the late General Election, as Representative for the District of New England, be now taken into consideration.

T. A. MURRAY,  
*Speaker*

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[Price, 6d.]



No. 84.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

TUESDAY, 24 APRIL, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Member Sworn:—Charles Kemp, Esquire, having taken the Oath and subscribed the Roll, took his Seat as Member for the Electoral District of Liverpool Plains.
2. Church and School Lands:—Mr. Wilson, on behalf of the Chairman, brought up the Report from, and laid upon the Table the Proceedings of, and Minutes of Evidence taken before, the Select Committee on Church and School Lands.  
Ordered to be printed.
3. Paper:—Mr. Weekes laid upon the Table, Minute of the Executive Council (dated 5 April, 1860), in the matter of the Disputes between the Collector of Customs and Customs' Agents and others.  
Ordered to be printed.
4. Mrs. Frances De Courcy:—Mr. Hart, as Chairman, brought up the Report from, and laid upon the Table the Proceedings of, and Minutes of Evidence taken before, the Select Committee on the case of Mrs. Frances De Courcy.  
Ordered to be printed.
5. Railway Works:—On the Order of the Day being read for the resumption of the Committee to take Evidence on Railway Works, the Speaker left the Chair, and the House resolved itself into the said Committee.  
The Chairman reported progress, and obtained leave to sit again on Friday next,—to take precedence of all other Business on the Paper for that day.
6. Charitable and Educational Institutions within the City of Sydney and County of Cumberland:—Dr. Lang moved, pursuant to notice, That there be laid upon the Table of this House, as speedily as possible, a Return containing the following particulars respecting each Charitable and Educational Institution, wholly or partly maintained by Public Funds, within the City of Sydney and County of Cumberland, from 1st day of January, 1855, to the 31st day of December, 1859.
  - (1.) The names and dates of appointment of the Members of the Board of Management, or of the Committee and Sub-Committees, and of the Official Visitors, if any, of such Institutions.
  - (2.) The name and date of the appointment of each Officer or other person permanently employed by or in connection with each several Institution—and in case of more than one office in such Institution being held by one and the same person, the date of the appointment to each several office—together with the particulars of the annual salary, fees, emoluments, allowances, and total remuneration derived from each several Institution, by each Officer or other person permanently employed therein.
  - (3.) The number of attendances during each year of each Member at the Meetings of every such Board of Management, or of the Committee and Sub-Committees; also the number of visits or inspections made in each year by the Official Visitor.
  - (4.) The number of times in each year in which the transaction of the business of each several Institution was postponed in consequence of the non-attendance of a Quorum, or a sufficient number of Members of such Board of Management, Committee, or Sub-Committee, to transact such business.
  - (5.) A detailed account of all moneys received and expended in each year, by or under the authority of each several Board of Management or Committee and Sub-Committees, of each several Charitable or Educational Institution before referred to: including—with especial reference to the National and Denominational Boards of Education,—a Statement—
    1. Of the number of Schools existing in each of the years before specified, under the management of each of the said Boards.
    2. The number of such Schools visited or inspected in each year by each Inspector or Organizing Master of each of the said Boards.
    3. The rate of remuneration, exclusive of annual salary, paid to each Inspector or Organizing Master, for travelling or other expenses, while engaged in the performance of his especial duty.
    - 4.

4. The total sum paid in each of the before-mentioned years, to each Inspector for such purpose.
5. The total number of Schools visited, organized, or inspected in each year, by the direction or under the authority of each of the abovenamed Educational Boards; and the total expense incurred in each year by each Board for such purpose.

Question put and passed.

7. Presbyterian College Bill :—

- (1.) Mr. Piddington moved, pursuant to notice standing in the name of Mr. Hay, That the Petition presented by Mr. Hay on the 20th April, against the proposed Presbyterian College Bill, be printed.

Question put and passed.

Ordered to be printed.

- (2.) Mr. Samuel moved, pursuant to notice standing in the name of Mr. Hamilton, That the Petition presented by Mr. Hamilton on the 20th April, against the proposed Presbyterian College Bill, be printed.

Question put and passed.

Ordered to be printed.

8. James Davidson :—Dr. Lang moved, pursuant to notice, That the Petition presented by him on Friday, the 20th April, from James Davidson, builder, be printed.

Question put and passed.

Ordered to be printed.

9. Postponement :—Mr. Wilson *amended* and postponed the motion standing in his name, No. 5 on the Notice Paper for to-day, until this day week.

10. State Aid to Religion Abolition Bill :—Mr. Weekes moved, pursuant to notice standing in the name of Mr. Dickson, That the Petition presented by Mr. Dickson, from certain Inhabitants of East Maitland, on the 18th April, be printed.

Question put and passed.

Ordered to be printed.

11. Postponement :—Mr. Parkes postponed the motion standing in the name of Mr. Windeyer, No. 7 on the Notice Paper for to-day, until Friday next.

12. Town Hall Site Exchange Bill :—Mr. Plunkett moved, pursuant to notice, for leave to bring in a Bill to enable the Corporation of Sydney to sell or exchange the present site for a Town Hall.

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

13. Motion withdrawn :—Mr. Mort withdrew the motion standing in his name, No. 9 on the Notice Paper for to-day.

14. Postponement :—Mr. Lucas postponed the motion standing in his name, No. 10 on the Notice Paper for to-day, until Friday next.

15. Seizure of Opium per "Kate Hooper" :—Mr. Piddington moved, pursuant to notice standing in the name of Mr. Hay, That the Petition relative to the Seizure of Opium per "Kate Hooper," presented by Mr. Hay on the 29th February, be printed.

Question put and passed.

Ordered to be printed.

16. Postponement :—Mr. Lucas postponed the motion standing in the name of Mr. Martin, No. 12 on the Notice Paper for to-day, until Friday next.

17. State Aid to Religion :—Mr. Parkes moved, pursuant to notice, standing in the name of Mr. Atkinson, That the Petition presented by Mr. Atkinson on the 6th April, relative to the withdrawal of State Aid to Religion, be printed.

Question put and passed.

Ordered to be printed.

18. Town Hall Site Exchange Bill :—Mr. Plunkett *presented* this Bill.

19. Postponements :—

- (1.) The second reading of the Capital Punishments Abolition Bill postponed, on motion of Mr. Parkes, until this day week.

- (2.) The second reading of the Bank Statements and Abstracts Regulation Bill postponed, on motion of Mr. Forster, until Friday next.

- (3.) The consideration in Committee of Address for Compensation to Lieutenant Seaver, R.N., postponed, on motion of Mr. Forster, until Friday next.

- (4.) The second reading of the Moreton Bay Immigration and Land Company's Act Amendment Bill postponed, on motion of Mr. Rotton, until Friday next.

20. Lien on Wool Act Continuation Bill, on motion of Mr. Mort, read a second time.

Whereupon, on motion of Mr. Mort, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for the consideration of this Bill.

The Chairman having reported the Bill without amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time this day week.

21. Official Salaries Alteration Bill :—On motion of Mr. Forster, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for the further consideration of this Bill.

The Chairman having reported the Bill with amendments, the House adopted the same, and ordered the Bill, as so reported, to be read a third time on Friday next.

22. Postponements :—

- (1.) The second reading of the Public Lands Bill postponed, on motion of Mr. Black, until this day fortnight.

- (2.) The second reading of the Land Tax Bill postponed, on motion of Mr. Black, until this day fortnight.

23. Sydney Municipal Elections Bill, on motion of Mr. Broughton, read a second time. Whereupon, on motion of Mr. Broughton, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, for the consideration of this Bill. The Chairman having reported the Bill without amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time on Tuesday next.
24. Postponement :—The further consideration in Committee of the Necropolis Act Extension Bill postponed, on motion of Mr. McArthur, until Friday next.
25. Mount Keira Tramroad Bill :—On the Order of the Day being read, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for the further consideration of this Bill. The Chairman having reported the Bill with amendments, the House adopted the same, and ordered the Bill, as so reported, to be read a third time on Tuesday next.
26. Postponement :—The second reading of the Public Ferries Law Amendment Bill postponed, on motion of Mr. Parkes, until Tuesday next.
27. Primary Education Encouragement Bill :—The Order of the Day for the Resumption of the adjourned Debate on Mr. Oxley's motion, "That this Bill be now read a second time," discharged from the Paper, on motion of Mr. Parkes. Bill, then, on motion of Mr. Parkes, discharged from the Paper.
28. Postponements :—
- (1.) The consideration in Committee of Address for Funds for Experimental Quartz Crushing Machine postponed, on motion of Mr. Wilson (after debate), until Friday next.
  - (2.) The consideration in Committee of the Sydney Council Debentures Bill postponed, on motion of Mr. Plunkett, until Friday next.
  - (3.) The third reading of the Wesley College Bill postponed, on motion of Mr. McArthur, until Tuesday next.
  - (4.) The second reading of the Freight and Charges Bill postponed, on motion of Mr. Parkes, until Tuesday next.
  - (5.) The second reading of the Law of Primogeniture Abolition Bill postponed, on motion of Mr. Plunkett, until this day week.
  - (6.) The second reading of the Inquests concerning Fires Bill postponed, on motion of Mr. Plunkett, until this day week.
- The House adjourned at half-past Eleven o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, APRIL 25.

### Contingent Notice of Motion :—

1. MR. ROTTON to move, (on the Order of the Day for going into Committee of Supply being read,) That it be a Sessional Order of this House, That during the remainder of the present Session, Government Business shall have precedence of all other business on Tuesdays, in addition to the days now set apart for that purpose.

### GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Gunpowder Export Restriction Bill; second reading.
2. Supply; Resumption of the Committee.
3. Ways and Means; Resumption of the Committee.

### Question :—

1. MR. SAMUEL to ask THE COLONIAL TREASURER,—
  - (1.) Whether the Government have received any communication from the Government of Victoria of their intention to establish a Gold Escort from the Snowy River Diggings to Melbourne?
  - (2.) Is it the intention of the Government to take any steps for the collection of the Revenue of this Colony, on dutiable goods crossing the borders into the Colonies of Victoria and Queensland?

FRIDAY, APRIL 27.

### Contingent Notice of Motion :—

1. MR. HODGSON to move (upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

### OTHER BUSINESS—ORDER OF THE DAY :—

1. Railway Works; Resumption of the Committee to take evidence on.

### NOTICES OF MOTION :—

1. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.

2. **DR. LANG** to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
3. **MR. HART** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all Correspondence between the Government and Mr. Lewis Markham, and any other persons, relative to the appointment of a District Registrar at Armidale, in lieu of Mr. Baker, resigned.
4. **MR. LUCAS** to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate for the present year, a sum not less than £1,000 for the purpose of repairing the Cook's River Dam.
5. **MR. WINDEYER** to move for leave to bring in a Bill to amend the Affiliated Colleges Act, 18 Vict., No. 37.
6. **MR. LUCAS** to move for leave to introduce a Bill to regulate Chinese Immigration.
7. **MR. MARTIN** to move for leave to introduce a Bill to amend the District Courts Act.

**ORDERS OF THE DAY :—**

1. State Aid to Religion Abolition Bill ; second reading.
2. Bank Statements and Abstracts Regulation Bill ; second reading.
3. Lieut. Scaver, R. N. ; consideration in Committee of Address for Compensation.
4. Moreton Bay Immigration and Land Company's Act Amendment Bill ; second reading.
5. Official Salaries Alteration Bill ; third reading.
6. Necropolis Act Extension Bill ; to be further considered in Committee.
7. Funds for Experimental Quartz Crushing Machine ; consideration in Committee of Address for.
8. Sydney Council Debentures Bill ; to be considered in Committee.

**Questions :—**

1. **MR. ASHER** to ask THE HONORABLE THE PREMIER,—Do the Government intend to increase the Police protection between Albury and Tumberumba, a distance of 90 miles, that being the main high road to Kiandra, and at present only protected by two Troopers?
2. **MR. ASHER** to ask THE SECRETARY FOR LANDS,—When do the Government intend putting into an efficient state of repair, in accordance with the Municipalities' Act, the main road through the Town of Albury, that being now a Municipality?

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**TUESDAY, MAY 1.**

**OTHER BUSINESS—NOTICE OF MOTION :—**

1. **MR. WILSON** to move,—  
 (1.) That, in the opinion of this House, the Export Duty on Gold should not be levied after the 31st December, 1860.  
 (2.) That the above Resolution be communicated by Address to His Excellency the Governor General.

**ORDERS OF THE DAY :—**

1. Capital Punishments Abolition Bill ; second reading.
2. Lien on Wool Act Continuation Bill ; third reading.
3. Sydney Municipal Elections Bill ; third reading.
4. Mount Keira Tramroad Bill ; third reading.
5. Public Ferries Law Amendment Bill ; second reading.
6. Wesley College Bill ; third reading.
7. Freight and Charges Bill ; second reading.
8. Law of Primogeniture Abolition Bill ; second reading.
9. Inquests concerning Fires Bill ; second reading.

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**FRIDAY, MAY 4.**

**OTHER BUSINESS—NOTICE OF MOTION :—**

1. **MR. GRAY** to move, That the Petition of Thomas George Rusden, Esquire, against the decision of the Election Committee in the case of the Petition against the Return of James Hart, Esquire, at the late General Election, as Representative for the District of New England, be now taken into consideration.

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**TUESDAY, MAY 15.**

**OTHER BUSINESS—ORDERS OF THE DAY :—**

1. Public Lands Bill ; second reading.
2. Land Tax Bill ; second reading.

**T. A. MURRAY,**  
*Speaker*



No. 85.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

WEDNESDAY, 25 APRIL, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Sydney Grammar School :—Mr. Windeyer, as Chairman, brought up the Report from, and laid upon the Table the Proceedings of, and Minutes of Evidence taken before, the Select Committee on the Sydney Grammar School, together with Appendix.—  
Ordered to be printed.
2. Paper :—Mr. Weekes laid upon the Table the Report, dated 24th April instant, of an Inquiry held by the Steam Navigation Board into the circumstances attending the recent collision between the Royal Mail Steamer "Emeu," and the Hunter River New Steam Navigation Company's Steamer "Williams," together with Minutes of Proceedings and Evidence, and certain Correspondence and Diagrams.  
Ordered to be printed.
3. Extra Messengers of the Legislative Assembly :—Mr. Parkes presented a Petition from the Extra Messengers of the Legislative Assembly, representing that they suffer great hardship from being compelled, during the Session, to give attendance from a very early hour of each day, until the House rises, at an insufficient rate of pay—while, on the termination of the Session, they are discharged without any compensation for the long attendance after hours;—and praying relief.  
Petition received.
4. Point of Order (*Erasure in Petition*) :—A Petition having been presented by Mr. Hodgson, containing a very considerable Erasure, and the attention of the Speaker being directed thereto;—  
The Speaker, referring to the Parliamentary Rule, as laid down in May, (4th edition) page 479, that Petitions presented must be "free from Interlineations or Erasures," declared it to be his opinion that the Petition so presented was out of order, and ought not to be received.  
Petition thereupon withdrawn.
5. Papers :—Mr. Weekes laid upon the Table the following Papers :—  
(1.) Letter from Registrar, Auckland, New Zealand, dated 23rd December, 1859, enclosing Paper on "Numerical System of Land Registration,"—with remarks of Registrar General at Sydney, thereon.  
(2.) Despatch, dated 17th February, 1860, with Enclosures, announcing the completion of the Telegraphic Cable between Singapore and Batavia.  
Ordered to be printed.
6. Gunpowder Export Restriction Bill, on motion of Mr. Weekes, read a second time.  
Whereupon, on motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for the consideration of this Bill.  
The Chairman having reported the Bill with amendments, the House adopted the same, and ordered the Bill, as so reported, to be read a third time to-morrow.
7. Supply :—On the Order of the Day being read for the resumption of the Committee, Mr. Rotton moved, pursuant to *Contingent Notice*, That it be a Sessional Order of this House, That during the remainder of the present Session, Government Business shall have precedence of all other business on Tuesdays, in addition to the days now set apart for that purpose.  
Debate ensued.  
Question put.  
The House divided.

Ayes, 7.

Mr. Asher,  
Mr. Terry,  
Mr. Close,  
Mr. Kemp,  
Mr. Gray,  
Mr. Rotton,  
Mr. Clements, } Tellers.

Noes, 22.

Mr. Weekes,	Mr. Flett,
Mr. Russell,	Mr. Samuel,
Mr. Jenkins,	Mr. Forster,
Mr. Walker,	Mr. Piddington,
Mr. Wilson,	Mr. Arnold,
Mr. Black,	Mr. Laidlaw,
Mr. Hart,	Rev. Dr. Lang,
Mr. Lucas,	Mr. Hoskins,
Mr. McArthur,	Mr. Cummings,
Mr. Parkes,	Mr. Hodgson,
Mr. Windeyer,	Mr. Garrett,

} Tellers.  
Whereupon,

Whereupon, on motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty for the Service of the year 1859-60.

The Chairman reported progress, and obtained leave to sit again to-morrow.

8. **New Trials Bill** :—The Speaker reported that while the House was in Committee of Supply the following Message was received from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled "*An Act to amend the practice of the Supreme Court as to New Trials*," presents the same to the Legislative Assembly for its concurrence.

Legislative Council Chamber,

Sydney, 25 April, 1860.

W. W. BURTON,

President.

Bill, on motion of Mr. Weekes, read a first time; ordered to be printed, and read a second time on Tuesday next.

9. **Ways and Means** :—On motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider of the Ways and Means to meet the Supply granted to Her Majesty for the Service of the year 1859-60.

The Chairman obtained leave to sit again on Wednesday next, and reported the following Resolutions :—

(6.) Resolved, That towards making good the supply granted to Her Majesty for the Service of the year 1860, the sum of £300,500 11s. 7d., be granted out of the Consolidated Revenue Fund of New South Wales.

(7.) Resolved, That towards making good the Supply granted to Her Majesty during the present Session, a further sum not exceeding £202,645, be raised by the Sale of Debentures secured upon the Consolidated Revenue Fund of New South Wales, and bearing interest at a rate not exceeding 5 per centum per annum, to defray the expenses of certain Public Works.

Mr. Weekes then moved, That this House do now adopt these Resolutions.

Question put and passed.

The House adjourned, at ten minutes before Eleven o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, APRIL 26.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. ARNOLD to move, That the following Members be added to the Standing Orders Committee, viz. :—Sir Daniel Cooper, Mr. Arnold, and Mr. Robertson.
2. MR. ARNOLD to move, That the following Members be added to the Library Committee, viz. :—Mr. Kemp, Mr. Parkes, Mr. Arnold, Mr. Black, and the Rev. Dr. Lang.

ORDERS OF THE DAY :—

1. Gunpowder Export Restriction Bill; third reading.
2. Supply; Resumption of the Committee.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. HODGSON to move, That Mr. Gordon be added to the Select Committee on the case of David Morris and others.

Questions :—

1. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether the Government have instructed Mr. Buchanan, Chief Commissioner of the Northern Gold Fields, to investigate the charges preferred by the Gold Miners and Residents of the Hanging Rock and Peel River Gold Fields, against Mr. Douglas, Gold Commissioner; and, if so, when is the inquiry about to be commenced?
2. MR. FORSTER to ask THE SECRETARY FOR PUBLIC WORKS,—  
(1.) Whether there will be any objection to lay upon the Table, the plans and specifications of Court Houses and Gaols in the Interior, adopted by the late Government, and having reference to the item for £50,000 lately withdrawn from the Estimates?  
(2.) If no objection, when can such plans and specifications be produced?

FRIDAY, APRIL 27.

Contingent Notice of Motion :—

1. MR. HODGSON to move (upon the Order of the Day for the second reading of the *State Aid to Religion Abolition Bill* being read),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Railway Works; Resumption of the Committee to take evidence on.

NOTICES OF MOTION :—

1. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency

Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.

2. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
3. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all Correspondence between the Government and Mr. Lewis Markham, and any other persons, relative to the appointment of a District Registrar at Armidale, in lieu of Mr. Baker, resigned.
4. MR. LUCAS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate for the present year, a sum not less than £1,000 for the purpose of repairing the Cook's River Dam.
5. MR. WINDEYER to move for leave to bring in a Bill to amend the Affiliated Colleges Act, 18 Vict., No. 37.
6. MR. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.
7. MR. MARTIN to move for leave to introduce a Bill to amend the District Courts Act.
8. MR. PARKES to move, That the Petition from the Extra Messengers of the Legislative Assembly, presented by him on the 25th April, be printed.
9. DR. LANG to move, That Copies of the following Documents be referred to the Select Committee on Federation of the Australian Colonies, viz. :—
  1. Despatch transmitting Correspondence on the establishment of Institutions of a Federal character for the Colonies; and
  2. Letter from the Chief Secretary to the Government of Victoria, transmitting certain Resolutions, together with the Report of a Select Committee of the Legislative Assembly of Victoria, on the subject of a Federal Union of the Colonies, laid on the Table, 10th November, 1857.
  3. Certain Resolutions of the Legislative Council, adopting the recommendations contained in the Report of their Select Committee on Australian Federation, transmitted by Message, 13th November, 1857.
  4. Form of Joint Address, communicated to the Legislative Assembly at a conference with the Legislative Council, 9th December, 1857.
  5. Further Papers respecting Federal Institutions, laid on the Table, 3rd April, 1860.

#### ORDERS OF THE DAY :—

1. State Aid to Religion Abolition Bill; second reading.
2. Bank Statements and Abstracts Regulation Bill; second reading.
3. Lieut. Seaver, R. N.; consideration in Committee of Address for Compensation.
4. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
5. Official Salaries Alteration Bill; third reading.
6. Necropolis Act Extension Bill; to be further considered in Committee.
7. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
8. Sydney Council Debentures Bill; to be considered in Committee.

#### Questions :—

1. MR. ASHER to ask THE HONORABLE THE PREMIER,—Do the Government intend to increase the Police protection between Albury and Tumberumba, a distance of 90 miles, that being the main high road to Kiandra, and at present only protected by two Troopers?
2. MR. ASHER to ask THE SECRETARY FOR LANDS,—When do the Government intend putting into an efficient state of repair, in accordance with the Municipalities' Act, the main road through the Town of Albury, that being now a Municipality?
3. MR. WALKER to ask THE HONORABLE THE PREMIER,—
  - (1.) Is the Government aware that the Sydney-Volunteer Corps are desirous of being re-organized?
  - (2.) Assuming that they are so, does the Government intend to take any immediate steps for their re-organization?
  - (3.) Having reference to the Vote of this House, passed some time in 1858, in favor of the said Corps, what amount of money, if any, is at the disposal of the Government in aid of the said Corps?
4. MR. JENKINS to ask THE HONORABLE THE PREMIER,—If the Government will be good enough to lay upon the Table of this House, a copy of the plans of the works, with other information, by which they purpose expending the Vote of £3,000 agreed to a few nights since, for deodorising the Sewers of Sydney?

TUESDAY, MAY 1.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WILSON to move,—  
(1.) That, in the opinion of this House, the Export Duty on Gold should not be levied after the 31st December, 1860.  
(2.) That the above Resolution be communicated by Address to His Excellency the Governor General.
2. MR. FAUCETT to move for leave to bring in a Bill to extend to Criminal Trials the provisions contained in the 58th, 59th, and 60th sections of the Common Law Procedure Act of 1857.

ORDERS OF THE DAY :—

1. Capital Punishments Abolition Bill ; second reading.
2. Lien on Wool Act Continuation Bill ; third reading.
3. Sydney Municipal Elections Bill ; third reading.
4. Mount Keira Tramroad Bill ; third reading.
5. Public Ferries Law Amendment Bill ; second reading.
6. Wesley College Bill ; third reading.
7. Freight and Charges Bill ; second reading.
8. Law of Primogeniture Abolition Bill ; second reading.
9. Inquests concerning Fires Bill ; second reading.
10. New Trials Bill ; second reading.

Questions :—

1. MR. TERRY to ask THE SECRETARY FOR PUBLIC WORKS,—Whether the Government intend to place a sum of money on the Supplementary Estimates for 1860, for the erection of a Court House and Gaol at Mudgee ; and, if so, what sum ?
2. MR. GARRETT to ask THE HONORABLE THE PREMIER,—If it be the intention of the Government to appoint Shoalhaven as a place where a District Court will be held ; and, if so, when ?

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WEDNESDAY, MAY 2.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Ways and Means ; Resumption of the Committee.
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FRIDAY, MAY 4.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. GRAY to move, That the Petition of Thomas George Rusden, Esquire, against the decision of the Election Committee in the case of the Petition against the Return of James Hart, Esquire, at the late General Election, as Representative for the District of New England, be now taken into consideration.
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TUESDAY, MAY 15.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Public Lands Bill ; second reading.
2. Land Tax Bill ; second reading.

T. A. MURRAY,  
*Speaker*

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No. 86.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

THURSDAY, 26 APRIL, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Members of Committee of Elections and Qualifications Sworn:—William Forster and John Garrett, Esquires, sworn at the Table by the Clerk, as Members of the Committee of Elections and Qualifications for the present Session, pursuant to the requirements of the 70th Section of the Electoral Act of 1858.
2. Leave of Absence for three weeks granted to Mr. Plunkett, on motion of Mr. Piddington.
3. Hawkesbury Benevolent Society's Act Amendment Bill:—Mr. Parkes, as Chairman, brought up the Report from, and laid upon the Table the Proceedings of, and Minutes of Evidence taken before, the Select Committee on this Bill, together with the Bill, as verbally amended in the Committee.  
Ordered to be printed.  
Mr. Parkes then moved, That the second reading of this Bill stand an Order of the Day for to-morrow.  
Question put and passed.
4. Papers:—Mr. Weekes laid upon the Table the following Papers:—  
(1.) Correspondence respecting a certain charge preferred against Mr. John Roper, J.P., of Albury.  
(2.) By-Laws and List of Directors of the Destitute Children's Asylum.  
Ordered to be printed.
5. Standing Orders Committee:—Mr. Arnold moved, pursuant to notice, That the following Members be added to the Standing Orders Committee, viz.:—Sir Daniel Cooper, Mr. Arnold, and Mr. Robertson.  
Question put and passed.
6. Motion for adjournment:—Mr. Rotton moved, That this House do now adjourn.  
Question put and negatived.
7. Library Committee:—Mr. Arnold moved, pursuant to notice, That the following Members be added to the Library Committee, viz.:—Mr. Kemp, Mr. Parkes, Mr. Arnold, Mr. Black, and the Rev. Dr. Lang.  
Question put and passed.
8. Gunpowder Export Restriction Bill, on motion of Mr. Weekes, read a third time, and passed.  
Mr. Weekes then moved, That the Title of this Bill be "*An Act to regulate for a limited time the Exportation of Gunpowder and Warlike Stores from the Colony of New South Wales.*"  
Question put and passed.  
Whereupon, Mr. Weekes moved, That this Bill be carried to the Legislative Council with the following Message:—  
MR. PRESIDENT,  
The Legislative Assembly having this day passed a Bill, intituled, "*An Act to regulate for a limited time the Exportation of Gunpowder and Warlike Stores from the Colony of New South Wales,*" presents the same to the Legislative Council, for its concurrence.  
*Legislative Assembly Chamber,  
Sydney, 26th April, 1860.*  
Speaker.
- Question put and passed.
9. Supply:—On motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the Service of the year 1859-60.  
The Chairman reported progress, and obtained leave to sit again at a later hour to-day.

10. Assent to Bill:—The following Message from His Excellency the Governor General received and read:—

W. DENISON,  
Governor General.

Message No 32.

A Bill, intituled, "*An Act to amend an Act, intituled, 'An Act to Incorporate a Company to be called 'The Sydney Insurance Company,'*" as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,  
Sydney, 26th April, 1860.

11. Member Sworn:—Isidore John Blake, Esquire, having taken the Oath and subscribed the Roll, took his Seat as Member for the Electoral District of The Hunter.  
12. Supply:—On motion of Mr. Weekes, the Committee resumed.  
The Chairman obtained leave to sit again on Wednesday next, and reported the following Resolutions:—

#### ESTIMATES FOR 1860.

##### NO. III. THE CHIEF SECRETARY.—(Continued.)

- (79.) Resolved, that there be granted to Her Majesty, a sum not exceeding £20,000, for the support of National Schools, and incidental expenses of the Board, including the Allowances to the Teachers, for the year 1860.  
(80.) Resolved, that there be granted to Her Majesty, a sum not exceeding £20,000, for the support of, Denominational Schools, and incidental expenses of the Board, including the Allowances to the Teachers, for the year 1860.  
(81.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,578, to defray the salaries and contingencies of the Protestant Orphan School, for the year 1860.  
(82.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,404, to defray the salaries and contingencies of the Roman Catholic Orphan School, for the year 1860.  
(83.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,058, to defray the salaries and contingencies of the Judicial Department of the Sydney Police, for the year 1860, being £2,818 for the Central Police Office Establishment; and £1,240 for the Department of Water Police.  
(84.) Resolved, that there be granted to Her Majesty, a sum not exceeding £28,253, to defray the salaries and contingencies of the Executive Department of the Sydney Police for the year 1860, being £22,355 for the Inspector General and Metropolitan Police; £2,451 for the Water Police; and £3,447 for the Horse Patrol.  
(85.) Resolved, that there be granted to Her Majesty, a sum not exceeding £18,905, to defray the salaries and contingencies of the Judicial Department of Police in Country Districts, for the year 1860, being £5,355 for Police Magistrates; £3,250 for Police Magistrates acting as Clerks of Petty Sessions; and £10,300 for Clerks of Petty Sessions.  
(86.) Resolved, that there be granted to Her Majesty a sum not exceeding £43,239, to defray the salaries and contingencies of the Executive Department of Police in Country Districts, for the year 1860, being £4,725 for First Class Chief Constables; £4,200 for Second Class Chief Constables; £5,586 for District Constables, and £28,728 for Ordinary Constables.  
(87.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,128, to defray the salaries of Detective Police throughout the Colony, for the year 1860.  
(88.) Resolved, that there be granted to Her Majesty, a sum not exceeding £10,267, to defray the General Contingencies of the Departments of Police in Country Districts, for the year 1860, being £1,802 for the Judicial, and £8,465 for the Executive Department.  
(89.) Resolved, that there be granted to Her Majesty, a sum not exceeding £34,347, to defray the salaries and contingencies of Horse Patrol and Gold Police, for the year 1860.  
(90.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,000, as a Gold Contingent for the year 1860, to meet unforeseen Expenses in cases of emergency at the Gold Fields.  
(91.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,050, in the year 1860, for the general service of the Police, to meet claims for length of service and good conduct.  
(92.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,379, to defray the salaries and contingencies of the Native Police, for the year 1860.  
(93.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,197, to defray the salaries and contingencies of the Sydney Gaol Establishment, for the year 1860.  
(94.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,772, to defray the salaries and contingencies of the Parramatta Gaol Establishment, for the year 1860.

(95.)

(95.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,888, to defray the salaries and contingencies of the Bathurst Gaol Establishment, for the year 1860.

(96.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,635, to defray the salaries and contingencies of the Maitland Gaol Establishment, for the year 1860.

(97.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,704, to defray the salaries and contingencies of the Goulburn Gaol Establishment, for the year 1860.

(98.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,632, for the maintenance at Berrima of Invalid Prisoners transferred from the Penal Establishment, Cockatoo Island, for the year 1860.

(99.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,395, to defray the salaries and contingencies of the Penal Establishment at Cockatoo Island, for the year 1860.

(100.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,350, to defray the salaries and contingencies of the Observatory Establishment, for the year 1860.

(101.) Resolved, that there be granted to Her Majesty, a sum not exceeding £44, to defray the salary of the Clerk to the Medical Board, for the year 1860.

(102.) Resolved, that there be granted to Her Majesty, a sum not exceeding £552, to defray the salaries and incidental expenses of the Vaccine Institution, for the year 1860.

(103.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,036, to defray the salaries and contingencies of the Lunatic Asylum at Tarban, for the year 1860.

(104.) Resolved, that there be granted to Her Majesty, a sum not exceeding £10,342, to defray the salaries and contingencies of the Lunatic Asylum at Parramatta, for the year 1860.

(105.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,323, to defray the Naval Allowance, for the year 1860.

(106.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,800, to defray the Military Allowance, for the year 1860.

(107.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,308, to defray the expense of the Royal Artillery, for the year 1860.

(108.) Resolved, that there be granted to Her Majesty, a sum not exceeding £20,383, to defray Charitable Allowances, for the year 1860, being—£2,300 for the support of Paupers in the Colonial Hospitals; £1,727 in aid of the Sydney Infirmary and Dispensary, on condition of an equal amount being raised by private subscriptions; £350 for the re-erection of a part of the Infirmary Wall in Macquarie-street, Sydney; £8,456 in support of the Establishment of the Benevolent Society, Sydney, on condition of £1,000 being raised by private subscriptions; £700 for the removal of Infants from the Benevolent Asylum, Sydney, to the Asylum for Destitute Children at Randwick; £2,000 in aid of the Asylum for Destitute Children, Sydney, on condition of an equal amount being raised by private contributions; £1,000 in aid of the Hospitals, Windsor, Newcastle, Wagga Wagga, Port Macquarie, and Yass, at £200 each, on condition of sums to an equal amount being raised by private subscriptions; £200 in aid of the Hospital at Sofala, on same condition; £1,200 in aid of the Hospitals, Parramatta, Bathurst, Maitland, and Goulburn, at £300 each, on same condition; £100 in aid of the Hospital, Mudgee, on same condition; £100 in aid of the Hospital at Braidwood, on same condition; £200 in aid of the Armidale and New England Hospital, on same condition; £100 in aid of the Benevolent Society, Parramatta, on same condition; £100 in aid of the Benevolent Society, Singleton and Patrick's Plains, on same condition; £150 in aid of the Benevolent Society, Tamworth, on same condition; £500 in aid of the erection of an Hospital at Gundagai, on same condition; £1,000 in aid of the erection of the Singleton and Patrick's Plains Benevolent Asylum and Hospital, on same condition; and a further sum of £200 for an Outfit for the Hospital at Maitland, on same condition.

(109.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,500, in aid of Public Institutions, for the year 1860, being—£200 in aid of the Sydney Mechanics' School of Arts; £200 in aid of the School of Arts at St. Leonard's, on condition of an equal amount being raised by private subscriptions; £200 to supplement the present Annual Endowment of £1,000 to the Australian Museum; £700 salary of Curator of Australian Museum; £100 in aid of the Goulburn School of Arts, on condition of an equal amount being raised by private subscriptions, until a Building be erected; £100 in aid of the Bathurst School of Arts, on same condition, until a Building be erected; £100 in aid of the Albury School of Arts, on same condition, until a Building be erected; £500 in aid of the erection of the Balmain School of Arts, on same condition; £300 in aid of the erection of the Camden School of Arts, on same condition; £300 in aid of the erection of the Picton School of Arts, on same condition; £300 in aid of the erection of the Grafton School of Arts, on same condition; £100 in aid of the erection of the East Maitland School of Arts, on same condition; £300 in aid of an Outfit for the Maitland School of Arts, on same condition; and £100 in aid of the Literary Institute, Braidwood.

- (110.) Resolved, that there be granted to Her Majesty, a sum not exceeding £200, for the Aborigines, during the year 1860, being for Medicines and Medical Attendance.
- (111.) Resolved, that there be granted to Her Majesty, a sum not exceeding £15,100, to defray Miscellaneous Services, for the year 1860, being—£10,000 for the Municipal Council of Sydney, in aid of the City Funds; £4,800 for expenses attending the preparation of the Electoral Lists; £100 for erecting Pounds, and allowances to Poundkeepers; and £200 for the purchase of one or two sets of English and Foreign Specimens of Ores and Minerals.

NO. V.—TREASURER AND SECRETARY FOR FINANCE AND TRADE..

- (112.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,132, to defray the salaries and contingencies of the Treasury Establishment, for the year 1860.
- (113.) Resolved, that there be granted to Her Majesty, a sum not exceeding £19,662, to defray the salaries and contingencies of the Customs Establishment, for the year 1860.
- (114.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,195, to defray the salaries and contingencies of the Colonial Distilleries, for the year 1860.
- (115.) Resolved, that there be granted to Her Majesty, a sum not exceeding £12,330, to defray the salaries and contingencies of the Sydney Branch of the Royal Mint, for the year 1860.
- (116.) Resolved, that there be granted to Her Majesty, a sum not exceeding £250, to defray the allowances to Gold Receivers, for the year 1860.
- (117.) Resolved, that there be granted to Her Majesty, a sum not exceeding £23,634, to defray the salaries and contingencies of the Post Office Establishment, for the year 1860.
- (118.) Resolved, that there be granted to Her Majesty, a sum not exceeding £45,321, to defray the expense of the Conveyance of Mails for the year 1860.
- (119.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,965 to defray the salaries and contingencies of the Colonial Storekeeper's Establishment, for the year 1860.
- (120.) Resolved, that there be granted to Her Majesty, a sum not exceeding £35,589 to defray the cost of Stores and Stationery, for the year 1860.
- (121.) Resolved, that there be granted to Her Majesty, during the year 1860, a sum not exceeding £25,318, to defray the cost of certain Warlike Stores obtained from the Imperial Government in 1855.
- (122.) Resolved, that there be granted to Her Majesty, a sum not exceeding £14,937, to defray the salaries, wages, and contingencies of the Printing, Postage Stamps, Lithographing, and Book-binding Establishment, for the year 1860.
- (123.) Resolved, that there be granted to Her Majesty, a sum not exceeding £436, to defray the salary and contingencies of the Gunpowder Magazine Establishment, for the year 1860.
- (124.) Resolved, that there be granted to Her Majesty, a sum not exceeding £580, to defray the salaries of Health Officers, for the year 1860.
- (125.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,118, to defray the salaries and contingencies of the Quarantine Establishment, for the year 1860.
- (126.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,058, to defray the salaries of the Establishments of the Shipping Masters, for the year 1860.
- (127.) Resolved, that there be granted to Her Majesty, a sum not exceeding £19,304, to defray the salaries and contingencies of the Harbors, Lighthouses, and Pilot Department, for the year 1860; being £2,302 for Board and Harbor Masters; £3,633 for Lighthouses; £7,449 for Sea and River Pilots, £5,310 for Boatmen; and £610 for contingencies.
- (128.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,353, to defray Miscellaneous Services, for the year 1860; being £3,223 for Postage of the various Public Departments, £1,500 for the transmission of Telegraphic Messages, £600 for Re-coppering the Lightship "Bramble," and sundry Repairs; £30 for Provisions to be left on Booby Island, for the relief of shipwrecked persons; and £2,000 to meet unforeseen expenses, to be hereafter accounted for.

Mr. Weekes then moved, That this House do now adopt these Resolutions.

Question put and passed.

13. Parramatta Water Protection Bill:—The Speaker reported that, while the House was in Committee of Supply, the following Message was received from the Legislative Council:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill returned herewith, intituled, "*An Act to protect from pollution the Fresh Water collected for the supply of the Inhabitants of the Town and Suburbs of Parramatta*," with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,  
Sydney, 26th April, 1860.

W. W. BURTON,  
President.

SCHEDULE



SCHEDULE of the Amendments made by the Legislative Council in the Bill, intituled, "*An Act to protect from pollution the Fresh Water collected for the supply of the Inhabitants of the Town and Suburbs of Parramatta,*" returned to the Legislative Assembly, with Message of 26th April, 1860.

R. O'CONNOR,

Clerk of the Legislative Council.

Page 1, Clause 1, line 10. *After "Animal," insert "or any carriage, cart, or other vehicle."*

Page 1, Clause 3, line 29. *Omit Clause 3.*

Mr. Weekes moved, That the consideration in Committee of the Amendments made by the Legislative Council in this Bill stand an Order of the Day for Tuesday next.

Question put and passed.

14. Mr. David Morris:—Mr. Hodgson moved, pursuant to notice, That Mr. Gordon be added to the Select Committee on the case of David Morris and others.

Question put and passed.

The House adjourned at Ten o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, APRIL 27.

### *Contingent Notice of Motion:—*

1. Mr. HODGSON to move (*upon the Order of the Day for the second reading of the State Aid to Religion Abolition Bill being read*),—That in the opinion of this House, all Stipends and Allowances to any Chaplain or Minister heretofore appointed to officiate within the Colony, or other moneys heretofore lawfully contracted to be paid to him as such, shall continue to be paid to such Chaplain or Minister notwithstanding.

### OTHER BUSINESS—ORDER OF THE DAY:—

1. Railway Works; Resumption of the Committee to take evidence on.

### NOTICES OF MOTION:—

1. Mr. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
2. Dr. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
3. Mr. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all Correspondence between the Government and Mr. Lewis Markham, and any other persons, relative to the appointment of a District Registrar at Armidale, in lieu of Mr. Baker, resigned.
4. Mr. LUCAS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate for the present year, a sum not less than £1,000 for the purpose of repairing the Cook's River Dam.
5. Mr. WINDEYER to move for leave to bring in a Bill to amend the Affiliated Colleges Act, 18 Vict., No. 37.
6. Mr. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.
7. Mr. MARTIN to move for leave to introduce a Bill to amend the District Courts Act.
8. Mr. PARKES to move, That the Petition from the Extra Messengers of the Legislative Assembly, presented by him on the 25th April, be printed.
9. Dr. LANG to move, That Copies of the following Documents be referred to the Select Committee on Federation of the Australian Colonies, viz.:—
  1. Despatch transmitting Correspondence on the establishment of Institutions of a Federal character for the Colonies; and
  2. Letter from the Chief Secretary to the Government of Victoria, transmitting certain Resolutions, together with the Report of a Select Committee of the Legislative Assembly of Victoria, on the subject of a Federal Union of the Colonies, laid on the Table, 10th November, 1857.
  3. Certain Resolutions of the Legislative Council, adopting the recommendations contained in the Report of their Select Committee on Australian Federation, transmitted by Message, 13th November, 1857.
  4. Form of Joint Address, communicated to the Legislative Assembly at a conference with the Legislative Council, 9th December, 1857.
  5. Further Papers respecting Federal Institutions, laid on the Table, 3rd April, 1860.

ORDERS

## ORDERS OF THE DAY :—

1. State Aid to Religion Abolition Bill ; second reading.
2. Bank Statements and Abstracts Regulation Bill ; second reading.
3. Lieut. Seaver, R. N. ; consideration in Committee of Address for Compensation.
4. Moreton Bay Immigration and Land Company's Act Amendment Bill ; second reading.
5. Official Salaries Alteration Bill ; third reading.
6. Necropolis Act Extension Bill ; to be further considered in Committee.
7. Funds for Experimental Quartz Crushing Machine ; consideration in Committee of Address for.
8. Sydney Council Debentures Bill ; to be considered in Committee.
9. Hawkesbury Benevolent Society's Act Amendment Bill ; second reading.

## Questions :—

1. MR. ASHER to ask THE HONORABLE THE PREMIER,—Do the Government intend to increase the Police protection between Albury and Tumberumba, a distance of 90 miles, that being the main high road to Kiandra, and at present only protected by two Troopers?
2. MR. ASHER to ask THE SECRETARY FOR LANDS,—When do the Government intend putting into an efficient state of repair, in accordance with the Municipalities' Act, the main road through the Town of Albury, that being now a Municipality?
3. MR. WALKER to ask THE HONORABLE THE PREMIER,—
  - (1.) Is the Government aware that the Sydney Volunteer Corps are desirous of being re-organized?
  - (2.) Assuming that they are so, does the Government intend to take any immediate steps for their re-organization?
  - (3.) Having reference to the Vote of this House, passed some time in 1858, in favor of the said Corps, what amount of money, if any, is at the disposal of the Government in aid of the said Corps?
4. MR. JENKINS to ask THE HONORABLE THE PREMIER,—If the Government will be good enough to lay upon the Table of this House, a copy of the plans of the works, with other information, by which they purpose expending the Vote of £3,000 agreed to a few nights since, for deodorising the Sewers of Sydney?
5. MR. PIDDINGTON to ask THE COLONIAL TREASURER,—
  - (1.) When a Return showing the balances in the Treasury, on 31st day of December, 1859, ordered by this House on 2nd February last, will be laid upon the Table?
  - (2.) Also, a Return of all Debentures issued, ordered on 2nd February last, will be laid upon the Table?
6. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether the Government have instructed Mr. Buchanan, Chief Commissioner of the Northern Gold Fields, to investigate the charges preferred by the Gold Miners and Residents of the Hanging Rock and Peel River Gold Fields, against Mr. Douglas, Gold Commissioner; and, if so, when is the inquiry about to be commenced?

## TUESDAY, MAY 1.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WILSON to move,—
  - (1.) That, in the opinion of this House, the Export Duty on Gold should not be levied after the 31st December, 1860.
  - (2.) That the above Resolution be communicated by Address to His Excellency the Governor General.
2. MR. FAUCETT to move for leave to bring in a Bill to extend to Criminal Trials the provisions contained in the 58th, 59th, and 60th sections of the Common Law Procedure Act of 1857.
3. MR. PARKES to move, That there be laid upon the Table of this House, a Return, shewing the number of cases tried before the Steam, Navigation, and Pilot Board, from the 1st day of May, 1858, to this date, having reference to Pilots and Light-keepers, shewing the nature of the charges brought forward in each case; the number of sittings on each trial; the number of witnesses examined; and the Board's recommendation to the Government in each case.

## ORDERS OF THE DAY :—

1. Capital Punishments Abolition Bill ; second reading.
2. Lien on Wool Act Continuation Bill ; third reading.
3. Sydney Municipal Elections Bill ; third reading.
4. Mount Keira Tramroad Bill ; third reading.
5. Public Ferries Law Amendment Bill ; second reading.
6. Wesley College Bill ; third reading.
7. Freight and Charges Bill ; second reading.
8. Law of Primogeniture Abolition Bill ; second reading.
9. Inquests concerning Fires Bill ; second reading.
10. New Trials Bill ; second reading.
11. Parramatta Water Protection Bill ; Consideration in Committee of Legislative Council's Amendments.

Questions :—

**Questions :—**

1. **MR. TERRY** to ask **THE SECRETARY FOR PUBLIC WORKS**,—Whether the Government intend to place a sum of money on the Supplementary Estimates for 1860, for the erection of a Court House and Gaol at Mudgee; and, if so, what sum?
2. **MR. GARRETT** to ask **THE HONORABLE THE PREMIER**,—If it be the intention of the Government to appoint Shoalhaven as a place where a District Court will be held; and, if so, when?
3. **MR. ASHER** to ask **THE HONORABLE THE PREMIER**,—What steps the Government intend to take, if any, with reference to the remarks made, and the decision come to, by Mr. Holroyd in the case of *Lang v. Macdonald*—do the Government believe that the sentence was such as the case demanded; also, whether the remarks made by Mr. Holroyd, justifying, to a certain extent, assaults in certain cases were such as should emanate from any person administering justice?

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**WEDNESDAY, MAY 2.****GOVERNMENT BUSINESS—ORDERS OF THE DAY :—**

1. Ways and Means; Resumption of the Committee.
  2. Supply; Resumption of the Committee.
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**FRIDAY, MAY 4.****OTHER BUSINESS—NOTICES OF MOTION :—**

1. **MR. GRAY** to move, That the Petition of Thomas George Rusden, Esquire, against the decision of the Election Committee in the case of the Petition against the Return of James Hart, Esquire, at the late General Election, as Representative for the District of New England, be now taken into consideration.
  2. **MR. ASHER** to move,—
    - (1.) For a Return shewing the hours of arrival of the various Mails at the following places:—Goulburn, Yass, and Albury.
    - (2.) A statement of the various delays in the arrivals of the above Mails for the last six months.
    - (3.) A statement of the number of passengers conveyed each trip during the same period.
    - (4.) The number of fines enforced from the Contractors, by the Government for delays in arrival, and upon what occasions.
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**TUESDAY, MAY 15.****OTHER BUSINESS—ORDERS OF THE DAY :—**

1. Public Lands Bill; second reading.
2. Land Tax Bill; second reading.

**T. A. MURRAY,**  
*Speaker*

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No. 87.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

FRIDAY, 27 APRIL, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Committee on Grievances:—Mr. Parkes, by leave of the House, moved, without previous notice, That the Select Committee on Grievances have power to report the Minutes of Evidence taken before them, from time to time, to the House.  
Question put and passed.
2. Mr. John Malley:—Mr. Parkes, pursuant to leave granted, brought up and laid upon the Table the Minutes of Evidence taken before the Select Committee on Grievances, in the case of Mr. John Malley, and moved that the same be printed.  
Question put and passed.  
Ordered to be printed.
3. Members of Council Qualification Bill:—Mr. Hay moved, That the second reading of the Bill, intituled, "*An Act to declare the Law relative to the Qualification of Members of the Legislative Council*," stand an Order of the Day for Friday, May 4.  
Question put and passed.
4. Papers:—  
(1.) Mr. Weekes laid upon the Table a Return to an Order in reference to Treasury Balances, adopted, on motion of Mr. Piddington, on 2nd February, 1860.  
(2.) Return (*in part*) to an Order in reference to Debentures issued by the Government of New South Wales, adopted on motion of Mr. Piddington, on 2nd February, 1860.  
Ordered to be printed.
5. Mr. James Boyle:—Mr. Hodgson presented a Petition from Mr. James Boyle, of Newcastle, Master Mariner, representing his claims for former services in the Colony, and praying relief.  
Petition received.
6. Railway Works:—On the Order of the Day being read for the resumption of the Committee to take Evidence on Railway Works, the Speaker left the Chair, and the House resolved itself into the said Committee.  
The Chairman reported progress, and obtained leave to sit again on Tuesday next,—to take precedence of all other business on the Paper for that day.
7. Postponements:—  
(1.) Mr. Rotton postponed the motion standing in the name of Mr. Byrnes, No. 1 on the Notice Paper for to-day, until Tuesday, May 15.  
(2.) Dr. Lang postponed the motion standing in his name, No. 2 on the Notice Paper for to-day, until Friday next.  
(3.) Mr. Windeyer postponed the motion standing in the name of Mr. Hart, No. 3 on the Notice Paper for to-day, until Tuesday next.  
(4.) Mr. Parkes postponed the motion standing in the name of Mr. Lucas, No. 4 on the Notice Paper for to-day, until Tuesday next.
8. Affiliated Colleges Act Amendment Bill:—Mr. Windeyer moved, pursuant to notice, for leave to bring in a Bill to amend the Affiliated Colleges Act, 18 Vict., No. 37.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
9. Postponement:—Mr. Parkes postponed the motion standing in the name of Mr. Lucas, No. 6 on the Notice Paper for to-day, until Tuesday next.
10. Town Hall Site Exchange Bill:—Mr. Faucett having presented this Bill and produced a Certificate that the sum of twenty-five pounds had been paid to the credit of the Consolidated Revenue,—Bill, intituled, "*A Bill to enable the Municipal Council of Sydney to substitute for their present site a more convenient site for a Town Hall*," read a first time.

11. **Affiliated Colleges Act Amendment Bill** :—Mr. Windeyer having *presented* this Bill, Bill, intituled "*A Bill to amend the Affiliated Colleges Act 18 Vic., No. 37,*" read a first time; ordered to be printed, and read a second time on Tuesday next.
12. **Postponement** :—Mr. Hodgson postponed the motion standing in the name of Mr. Martin, No. 7 on the Notice Paper for to-day, until Tuesday next.
13. **Extra Messengers of the Legislative Assembly** :—Mr. Parkes moved, pursuant to notice No. 8, That the Petition from the Extra Messengers of the Legislative Assembly, presented by him on the 25th April, be printed.  
Question put and passed.  
Ordered to be printed.
14. **Federation of the Australian Colonies** :—Dr. Lang moved, pursuant to notice No. 9, That Copies of the following Documents be referred to the Select Committee on Federation of the Australian Colonies, viz. :—
  1. Despatch transmitting Correspondence on the establishment of Institutions of a Federal character for the Colonies; and
  2. Letter from the Chief Secretary to the Government of Victoria, transmitting certain Resolutions, together with the Report of a Select Committee of the Legislative Assembly of Victoria, on the subject of a Federal Union of the Colonies, laid on the Table, 10th November, 1857.
  3. Certain Resolutions of the Legislative Council, adopting the recommendations contained in the Report of their Select Committee on Australian Federation, transmitted by Message, 13th November, 1857.
  4. Form of Joint Address, communicated to the Legislative Assembly at a conference with the Legislative Council, 9th December, 1857.
  5. Further Papers respecting Federal Institutions, laid on the Table, 3rd April, 1860.
 Question put and passed.
15. **State Aid to Religion Abolition Bill** :—The Order of the Day for the second reading of this Bill, discharged from the Paper, on motion of Mr. Forster.  
Bill then, on motion of Mr. Forster, discharged from the Paper.
16. **Bank Statements and Abstracts Regulation Bill** :—Mr. Darvall moved, That this Bill be now read a second time.  
Debate ensued.  
Question put and passed.  
Whereupon, on motion of Mr. Darvall, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for the consideration of this Bill.  
The Chairman having reported the Bill with Amendments, the House adopted the same, and ordered the Bill as so reported, to be read a third time on Tuesday next.
17. **Lieut. Seaver, R.N.** :—On motion of Mr. Hodgson, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for the consideration of an Address for Compensation.  
The Chairman reported, That the Committee had agreed to the following Resolution :—Resolved, That an Address be presented to the Governor General, praying that His Excellency will be pleased to, cause a sum of money to be placed upon the Supplementary Estimates for the Service of the year 1860, equal to one month's salary of Lieutenant Seaver, R.N., calculated at the rate received by him as late Shipping Master at Newcastle, for each year of service.  
Whereupon Mr. Hodgson moved, That this House do now adopt this Resolution.  
Question put and passed.
18. **Moreton Bay Immigration and Land Company's Act Amendment Bill** :—Dr. Lang moved, That this Bill be now read a second time.  
And a Debate arising thereon, and,—  
Notice being taken that there was not a Quorum present, the House was counted, and there being only Nineteen Members present, exclusive of the Speaker, viz.,—Mr. Arnold, Mr. Cummings, Mr. Faucett, Mr. Gordon, Mr. Gray, Mr. Hoskins, Mr. Kemp, Mr. Laidlaw, Dr. Lang, Mr. Lyons, Mr. McArthur, Mr. Parkes, Mr. Piddington, Mr. Rotton, Mr. Terry, Mr. Weekes, Mr. Wild, Mr. Wilson, and Mr. Windeyer,—the Speaker adjourned the House at Ten o'clock, until Tuesday next, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, MAY 1.

OTHER BUSINESS—ORDER OF THE DAY :—

1. **Railway Works**; Resumption of the Committee to take evidence on.

NOTICES OF MOTION :—

1. **MR. WILSON** to move,—
  - (1.) That, in the opinion of this House, the Export Duty on Gold should not be levied after the 31st December, 1860.
  - (2.) That the above Resolution be communicated by Address to His Excellency the Governor General.
2. **MR. FAUCETT** to move for leave to bring in a Bill to extend to Criminal Trials the provisions contained in the 58th, 59th, and 60th sections of the Common Law Procedure Act of 1857.

3. MR. PARKES to move, That there be laid upon the Table of this House, a Return, shewing the number of cases tried before the Steam, Navigation, and Pilot Board, from the 1st day of May, 1858, to this date, having reference to Pilots and Light-keepers, shewing the nature of the charges brought forward in each case; the number of sittings on each trial; the number of witnesses examined; and the Board's recommendation to the Government in each case.
4. MR. LYONS to move, That this House will on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the present year, a sum not less than £160 for the purpose of restoring the salary of the Chief Clerk and Cashier of the Customs' Department to the amount received by those gentlemen during the year 1859.
5. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all Correspondence between the Government and Mr. Lewis Markham, and any other persons, relative to the appointment of a District Registrar at Armidale, in lieu of Mr. Baker, resigned.
6. MR. LUCAS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate for the present year, a sum not less than £1,000 for the purpose of repairing the Cook's River Dam.
7. MR. LUCAS to move for leave to introduce a Bill to regulate Chinese Immigration.
8. MR. MARTIN to move for leave to introduce a Bill to amend the District Courts' Act.

ORDERS OF THE DAY:—

1. Capital Punishments Abolition Bill; second reading.
2. Lien on Wool Act Continuation Bill; third reading.
3. Sydney Municipal Elections Bill; third reading.
4. Mount Keira Tramroad Bill; third reading.
5. Public Ferries Law Amendment Bill; second reading.
6. Wesley College Bill; third reading.
7. Freight and Charges Bill; second reading.
8. Law of Primogeniture Abolition Bill; second reading.
9. Inquests concerning Fires Bill; second reading.
10. New Trials Bill; second reading.
11. Parramatta Water Protection Bill; consideration in Committee of Legislative Council's Amendments.
12. Affiliated Colleges Act Amendment Bill; second reading.
13. Bank Statements and Abstracts Regulation Bill; third reading.
14. Official Salaries Alteration Bill; third reading.
15. Necropolis Act Extension Bill; to be further considered in Committee.
16. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
17. Sydney Council Debentures Bill; to be considered in Committee.
18. Hawkesbury Benevolent Society's Act Amendment Bill; second reading.

Questions:—

1. MR. TERRY to ask THE SECRETARY FOR PUBLIC WORKS,—Whether the Government intend to place a sum of money on the Supplementary Estimates for 1860, for the erection of a Court House and Gaol at Mudgee; and, if so, what sum?
2. MR. GARRETT to ask THE HONORABLE THE PREMIER,—If it be the intention of the Government to appoint Shoalhaven as a place where a District Court will be held; and, if so, when?
3. MR. ASHER to ask THE HONORABLE THE PREMIER,—What steps the Government intend to take, if any, with reference to the remarks made, and the decision come to, by Mr. Holroyd in the case of *Lang v. Macdonald*—do the Government believe that the sentence was such as the case demanded; also, whether the remarks made by Mr. Holroyd, justifying, to a certain extent, assaults in certain cases were such as should emanate from any person administering justice?
4. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether the Government have instructed Mr. Buchanan, Chief Commissioner of the Northern Gold Fields, to investigate the charges preferred by the Gold Miners and Residents of the Hanging Rock and Peel River Gold Fields, against Mr. Douglas, Gold Commissioner; and, if so, when is the inquiry about to be commenced?
5. MR. ASHER to ask THE HONORABLE THE PREMIER,—Do the Government intend to increase the Police protection between Albury and Tumberumba, a distance of 90 miles, that being the main high road to Kiandra, and at present only protected by two Troopers?

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WEDNESDAY, MAY 2.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Ways and Means; Resumption of the Committee.
  2. Supply; Resumption of the Committee.
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FRIDAY,

FRIDAY, MAY 4.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. GRAY to move, That the Petition of Thomas George Rusden, Esquire, against the decision of the Election Committee in the case of the Petition against the Return of James Hart, Esquire, at the late General Election, as Representative for the District of New England, be now taken into consideration.
2. MR. ASHER to move,—
  - (1.) For a Return shewing the hours of arrival of the various Mails at the following places :—Goulburn, Yass, and Albury.
  - (2.) A statement of the various delays in the arrivals of the above Mails for the last six months.
  - (3.) A statement of the number of passengers conveyed each trip during the same period.
  - (4.) The number of fines enforced from the Contractors, by the Government for delays in arrival, and upon what occasions.
3. MR. HODGSON to move, That the Petition from James Boyle, presented by him on the 27th April, be printed.
4. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.

## ORDER OF THE DAY :—

1. Members of Council Qualification Bill ; second reading.

TUESDAY, MAY 8.

## OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. PARKES to move,—
  - (1.) That the Report of the Select Committee on the Condition of the Working Classes of the Metropolis, be now adopted.
  - (2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.

TUESDAY, MAY 15.

## OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.

## ORDERS OF THE DAY :—

1. Public Lands Bill ; second reading.
2. Land Tax Bill ; second reading.

T. A. MURRAY,  
*Speaker*



No. 88.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

TUESDAY, 1 MAY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Leave of Absence for fourteen days granted to Mr. Atkinson, on motion of Mr. Parkes.
2. Questions put to Ministers :—Mr. Asher proceeding to ask the Question standing in his name, No. 3 on the Notice Paper for to-day, viz. :—"What steps the Government intend to take, if any, with reference to the remarks made, and the decision come to, by Mr. Holroyd in the case of *Lang v. "Macdonald"*—do the Government believe that the sentence was such as the case demanded; also, whether the remarks made by Mr. Holroyd, justifying, to a certain extent, assaults in certain cases were such as should emanate from any person administering justice?"—  
Mr. Wild objected to the question being asked, on the ground that it militated against the rule laid down in May (4th edition) page 295, that Questions put to Ministers should be limited, as far as possible, to matters immediately connected with the business of Parliament, and should be put in a manner which does not involve opinion, argument, or inference;—  
And the Speaker (*in accordance with his ruling in two former instances of a like character, recorded in Votes and Proceedings, Nos. 60 and 66 of the present Session*) sustaining Mr. Wild's objection as regarded that portion of the proposed Question which followed the word "*Macdonald*,"—  
Mr. Asher withdrew the portion so objected to, and asked the former part only.
3. Mr. C. F. Gorton :—Mr. Wild, as Chairman, brought up the Report from, and laid upon the Table the Proceedings of, and Minutes of Evidence taken before, the Select Committee on the case of Mr. C. F. Gorton.  
Ordered to be printed.
4. Railway Works :—  
(1.) Evidence taken at Bar :—Mr. Parkes, with the concurrence of the House, moved, without previous notice, That the Evidence taken at the Bar on the construction of the Railway Works, up to the 1st of May inclusive, be printed.  
Question put and passed.  
Ordered to be printed.  
(2.) Resumption of Committee :—On the Order of the Day being read for the resumption of the Committee to take Evidence on Railway Works, the Speaker left the Chair, and the House resolved itself into the said Committee.  
The Chairman reported progress, and obtained leave to sit again on Friday next,—taking precedence of all other Business on the Paper for that day.
5. Export Duty on Gold :—Mr. Wilson moved, pursuant to notice,—  
(1.) That, in the opinion of this House, the Export Duty on Gold should not be levied after the 31st December, 1860.  
(2.) That the above Resolution be communicated by Address to His Excellency the Governor General.  
Mr. Weekes moved the Previous Question.  
Debate ensued.  
Previous Question,—That this Question be now put,—put and passed.  
Original Question put and passed.
6. Common Law Procedure Act Extension Bill :—Mr. Faucett moved, pursuant to notice, for leave to bring in a Bill to extend to Criminal Trials the provisions contained in the 58th, 59th, and 60th sections of the Common Law Procedure Act of 1857.  
Question put and passed; Ordered, That the Mover and Seconder prepare and bring in the Bill.
7. Pilots and Light-keepers :—Mr. Parkes moved, pursuant to amended notice, That there be laid upon the Table of this House, a Return, shewing the number of cases tried before the Steam, Navigation, and Pilot Board, from the 1st day of May, 1858, to this date, having reference to Pilots and Light-keepers, shewing the nature of the charges brought forward in each case; the number of sittings on each inquiry; the number of witnesses examined; and the Board's recommendation to the Government in each case.  
Question put and passed.

8. Common Law Procedure Act Extension Bill :—Mr. Faucett having presented this Bill, Bill, intituled, "*A Bill to extend to Criminal Trials the provisions contained in the "58th, 59th, and 60th Sections of the Common Law Procedure Act of 1857,"*" read a first time; ordered to be printed, and read a second time on Friday next.
9. Salaries of Chief Clerk and Cashier of Customs Department:—Mr. Lyons moved, pursuant to amended notice, That this House will on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the present year, a sum not less than £160, to be equally divided between the Chief Clerk and Cashier of the Customs Department for the purpose of restoring the salaries of those gentlemen to the amount received by them during the year 1859.

Debate ensued.

Question put.

The House divided.

Ayes, 23.

Mr. Robertson,	Mr. Irving,	
Mr. Wilson,	Mr. Macleay,	
Mr. Black,	Mr. Lyons,	
Mr. McArthur,	Rev. Dr. Lang,	
Mr. Blake,	Mr. Close,	
Mr. Piddington,	Mr. Wild,	
Mr. Broughton,	Mr. Wisdom,	
Mr. Kemp,	Mr. Parkes,	
Mr. Samuel,	Mr. Hoskins,	
Mr. Laidlaw,	Mr. A. Campbell,	} Tellers.
Mr. Gordon,	Mr. Morris,	
Mr. Forster,		

Noes, 9.

Mr. Oakes,	
Mr. Rotton,	
Mr. J. Campbell,	
Mr. Flett,	
Mr. Asher,	
Mr. Ryan,	
Mr. Penell,	
Mr. Garrett,	} Tellers.
Mr. Lucas,	

10. Postponements :—

(1.) Mr. Wilson postponed the motion standing in the name of Mr. Hart, No. 5 on the Notice Paper for to-day, until Friday next.

(2.) Mr. Lucas postponed the motion standing in his name, No. 6 on the Notice Paper for to-day, until Friday next.

11. Chinese Immigration Regulation Bill :—Mr. Lucas moved, pursuant to notice, for leave to introduce a Bill to regulate Chinese Immigration.

Mr. Lucas admitting (upon interrogation by the Speaker) that one of the provisions of the proposed Bill was, the levying of an Impost, to be paid to the General Revenue of the Colony, on the Introduction of Chinese Immigrants,—

And the Speaker stating that, in his opinion, founded on his reading of the Practice of the Imperial Parliament, any Bill having for its object the imposition of a Tax payable to the Public Revenues, should originate in a Committee of the whole House ;—

Debate ensued.

Mr. Lyons moved, That the Question, whether a private Member can introduce a Bill to levy a Tax or Penalty except in Committee of the Whole, be referred to the Standing Orders Committee.

Debate continued.

Mr. Lyons' motion, by leave, withdrawn.

Motion made by Mr. Faucett, and Question put, That it be referred to the Standing Orders Committee to consider and report to the House, whether it is competent for a private Member, except in a Committee of the whole House, to introduce a Bill to regulate Chinese Immigration, such Bill containing a clause imposing a penalty on the introduction of each Chinese.

The House divided.

Ayes, 7.

Mr. Arnold,	
Mr. Piddington,	
Mr. Broughton,	
Mr. Kemp,	
Mr. Rotton,	
Mr. Lyons,	} Tellers.
Mr. Faucett,	

Noes, 19.

Mr. Weekes,	Mr. Martin,
Mr. Lucas,	Mr. Flett,
Mr. Gordon,	Mr. Garrett,
Mr. Forster,	Mr. Ryan,
Mr. Wisdom,	Mr. Oakes,
Mr. Wilson,	Rev. Dr. Lang,
Mr. McArthur,	Mr. Cummings,
Mr. Hoskins,	Mr. Morris,
Mr. Parkes,	Mr. Windeyer,
Mr. Darvall,	} Tellers.

Original Question put.

The House divided.

Ayes, 16.

Mr. Arnold,	Mr. Garrett,	
Mr. Weekes,	Mr. Martin,	
Mr. McArthur,	Mr. Forster,	
Mr. Lyons,	Rev. Dr. Lang,	
Mr. Wisdom,	Mr. Oakes,	
Mr. Hoskins,	Mr. Cummings,	
Mr. Broughton,	Mr. Lucas,	} Tellers.
Mr. Parkes,	Mr. Windeyer,	

Noes, 7.

Mr. Gordon,	
Mr. Wilson,	
Mr. Kemp,	
Mr. Darvall,	
Mr. Rotton,	
Mr. Morris,	
Mr. Faucett,	} Tellers.

Ordered, That the Mover and Seconder prepare and bring in the Bill.

12. District Courts Act Amendment Bill :—

(1.) Mr. Martin moved, pursuant to notice, for leave to introduce a Bill to amend the District Courts' Act.

Question put and passed; Ordered, That the Mover and Seconder prepare and bring in the Bill.

(2.)

- (2.) Mr. Martin having presented this Bill, Bill, intituled "*A Bill to amend the 'District Courts' Act,*" read a first time; ordered (after debate) to be printed, and read a second time this day week.
13. Postponement:—The second reading of the Capital Punishments Abolition Bill postponed, on motion of Mr. Parkes, until this day week.
14. Lien on Wool Act Continuation Bill, on motion of Mr. Morris, read a third time, and passed.  
Mr. Morris then moved, That the Title of this Bill be "*An Act to make permanent the Lien on Wool Act.*"  
Question put and passed.  
Whereupon, Mr. Morris moved, That this Bill be carried to the Legislative Council, with the following Message:—  
MR. PRESIDENT,  
The Legislative Assembly having this day passed a Bill, intituled, "*An Act to make permanent the Lien on Wool Act,*" presents the same to the Legislative Council for its concurrence.  
*Legislative Assembly Chamber,*  
*Sydney, 1st May, 1860.* Speaker.  
Question put and passed.

And the House continuing to sit till after Midnight,—

WEDNESDAY, 2 MAY, 1860, A.M.

15. Sydney Municipal Elections Bill:—On motion of Mr. Broughton, read a third time, and passed.  
Mr. Broughton then moved, That the Title of this Bill be "*An Act to legalize certain Sydney Municipal Elections, and to make provision for future Elections of Aldermen and Auditors for the said City of Sydney.*"  
Question put and passed.  
Mr. Broughton then moved, That this Bill be carried to the Legislative Council, with the following Message:—  
MR. PRESIDENT,  
The Legislative Assembly having this day passed a Bill, intituled "*An Act to legalize certain Sydney Municipal Elections, and to make provision for future Elections of Aldermen and Auditors for the said City of Sydney,*" presents the same to the Legislative Council for its concurrence.  
*Legislative Assembly Chamber,*  
*Sydney, 2nd May, 1860.* Speaker.  
Question put and passed.
16. Mount Keira Tramroad Bill:—Mr. Garrett moved, That this Bill be "now" read a third time.  
Mr. Oakes moved, That the Question be amended by the omission of all the words following the word "now," in order to the insertion in their place of the words "re-committed, with a view to the re-consideration of Clauses 1, 2, and 16, and the 'Schedule.'"  
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 the place of the words omitted be so inserted,—put and passed.  
Question, then, That this Bill be now re-committed, with a view to the re-consideration of Clauses 1, 2, and 16, and the Schedule,—put and passed.  
Whereupon, on motion of Mr. Oakes, the Speaker left the Chair, and the House resolved itself into a Committee of the whole accordingly.  
The Chairman having reported the Bill with further amendments, the House adopted the same, and ordered the Bill, as so reported, to be read a third time on Friday next.
17. The Order of the Day for the second reading of the Public Ferries Law Amendment Bill, on motion of Mr. Darvall, discharged from the Paper.  
Bill, discharged from the Paper, on motion of Mr. Darvall.
18. Wesley College Bill, on motion of Mr. Oakes, read a third time, and passed.  
Mr. Oakes then moved, That the Title of this Bill be "*An Act to Incorporate Wesley College as a College within the University of Sydney.*"  
Question put and passed.  
Whereupon Mr. Oakes moved, That this Bill be carried to the Legislative Council, with the following Message:—  
MR. PRESIDENT,  
The Legislative Assembly having this day passed a Bill, intituled, "*An Act to Incorporate Wesley College as a College within the University of Sydney,*" presents the same to the Legislative Council for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon.  
*Legislative Assembly Chamber,*  
*Sydney, 2nd May, 1860.* Speaker.  
Question put and passed.

19. The Order of the Day for the second reading of the Freight and Charges Bill, on motion of Mr. Gordon, discharged from the Paper.  
Bill, discharged from the Paper, on motion of Mr. Gordon.
20. Postponements:—  
(1.) The second reading of the Law of Primogeniture Abolition Bill postponed, on motion of Mr. Windeyer, until this day week.  
(2.) The second reading of the Inquests concerning Fires Bill postponed, on motion of Mr. Arnold, until this day week.  
(3.) The second reading of the New Trials Bill postponed, on motion of Mr. Arnold, until Friday next.  
(4.) The consideration in Committee of the Legislative Council's Amendments in the Parramatta Water Protection Bill postponed, on motion of Mr. Oakes, until to-morrow.  
(5.) The second reading of the Affiliated Colleges Act Amendment Bill postponed, on motion of Mr. Windeyer, until Friday next.
21. Bank Statements and Abstracts Regulation Bill:—Mr. Darvall moved, That this Bill be "now" read a third time.  
Mr. Weekes moved, That the Question be amended, by the omission of all the words following the word "now," in order to the insertion in their place of the words "re-committed, with a view to the re-consideration of Clause 1."  
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 the 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 of Clause 1,—put and passed.  
Whereupon, on motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of the whole accordingly.  
The Chairman having reported the Bill with a further amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time on Friday next.
22. Postponements:—  
(1.) The third reading of the Official Salaries Alteration Bill postponed, on motion of Mr. Wilson, until Friday next.  
(2.) The further consideration in Committee of the Necropolis Act Extension Bill postponed, on motion of Mr. Rotton, until Friday next.  
(3.) The further consideration in Committee of Address for Funds for Experimental Quartz Crushing Machine postponed, on motion of Mr. Wilson, until Friday next.  
(4.) The consideration in Committee of the Sydney Council Debentures Bill postponed, on motion of Mr. Faucett, until Tuesday next.
23. Hawkesbury Benevolent Society's Act Amendment Bill, on motion of Mr. Parkes, read a second time.  
Whereupon, on motion of Mr. Parkes, the House resolved itself into a Committee of the whole for the consideration of this Bill.  
The Chairman having reported the Bill without amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time on Friday next.  
The House adjourned, at twenty minutes before One o'clock A.M., until Three o'clock P.M. this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, MAY 2.

### GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. Mr. ARNOLD to move for leave to introduce a Bill to facilitate the communication between the Abattoirs and Sydney.

### ORDERS OF THE DAY:—

1. Ways and Means; Resumption of the Committee.
2. Supply; Resumption of the Committee.

### OTHER BUSINESS—ORDER OF THE DAY:—

1. Parramatta Water Protection Bill; consideration in Committee of Legislative Council's Amendments.

### Questions:—

1. Mr. COOPER to ask THE HONORABLE THE PREMIER,—What steps the Government have taken, or are about to take, in reference to the report furnished them by the Bench of Magistrates at Braidwood, recommending the payment of the sum of £1,300 to the Storekeepers who supplied food and clothing to the sufferers by the February flood?
2. Mr. LYONS to ask THE HONORABLE THE PREMIER,—What immediate steps the Government intend taking to restore the Traffic across the Cook's River Dam, seeing that that public work is now impassable from the effects of the late Floods, and that many industrious families are consequently precluded from coming to Sydney for their daily supplies, and now find themselves in a state of destitution?
3. Mr. PARKES to ask THE SECRETARY FOR PUBLIC WORKS,—  
(1.) Whether, in the suspension of the Works at Fort Macquarie, it was intended to discontinue them altogether?  
(2.) If they have not been finally stopped, when they are likely to be resumed?

FRIDAY,

FRIDAY, MAY 4.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Railway Works; Resumption of the Committee to take evidence on.

NOTICES OF MOTION:—

1. MR. GRAY to move, That the Petition of Thomas George Rusden, Esquire, against the decision of the Election Committee in the case of the Petition against the Return of James Hart, Esquire, at the late General Election, as Representative for the District of New England, be now taken into consideration.
2. MR. ASHER to move,—
  - (1.) For a Return shewing the hours of arrival of the various Mails at the following places:—Goulburn, Yass, and Albury.
  - (2.) A statement of the various delays in the arrivals of the above Mails for the last six months.
  - (3.) A statement of the number of passengers conveyed each trip during the same period.
  - (4.) The number of fines enforced from the Contractors by the Government for delays in arrival, and upon what occasions.
3. MR. HODGSON to move, That the Petition from James Boyle, presented by him on the 27th April, be printed.
4. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
5. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all Correspondence between the Government and Mr. Lewis Markham, and any other persons, relative to the appointment of a District Registrar at Armidale, in lieu of Mr. Baker, resigned.
6. MR. LUCAS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate for the present year, a sum not less than £1,000 for the purpose of repairing the Cook's River Dam.

ORDERS OF THE DAY:—

1. Members of Council Qualification Bill; second reading.
2. Common Law Procedure Act Extension Bill; second reading.
3. Consideration in Committee, of Address for-increase of Salary to the Chief Clerk and Cashier in the Customs' Department.
4. Mount Keira Tramroad Bill; third reading.
5. New Trials Bill; second reading.
6. Affiliated Colleges Act Amendment Bill; second reading.
7. Bank Statements and Abstracts Regulation Bill; third reading.
8. Official Salaries Alteration Bill; third reading.
9. Necropolis Act Extension Bill; to be further considered in Committee.
10. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
11. Hawkesbury Benevolent Society's Act Amendment Bill; third reading.

Question:—

1. MR. LYONS to ask THE HONORABLE THE PREMIER,—Whether the Government have any intention to introduce a Bill to amend the Municipalities' Act; if so, when?

TUESDAY, MAY 8.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. PARKES to move,—
  - (1.) That the Report of the Select Committee on the Condition of the Working Classes of the Metropolis, be now adopted.
  - (2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.

ORDERS OF THE DAY:—

1. District Courts Act Amendment Bill; second reading.
2. Capital Punishments Abolition Bill; second reading.
3. Law of Primogeniture Abolition Bill; second reading.
4. Inquests concerning Fires Bill; second reading.
5. Sydney Council Debentures Bill; to be considered in Committee.

TUESDAY,

TUESDAY, MAY 15.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.

ORDERS OF THE DAY :—

1. Public Lands Bill ; second reading.
2. Land Tax Bill ; second reading.

T. A. MURRAY,  
*Speaker*

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[Price, 6d.]

No. 89.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

WEDNESDAY, 2 MAY, 1860.

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

Lieutenant Seaver, R. N. :—The following Message from His Excellency the Governor General received and read :—

W. DENISON,

*Message No 33.*

*Governor General.*

In accordance with the request contained in the Address from the Legislative Assembly of the 27th April, 1860, the Governor General has directed that a sum of money, equal to one month's salary for each year of service of Lieutenant Seaver, R.N., as Shipping Master at Newcastle, be placed upon the Supplementary Estimates for 1860.

*Government House,  
Sydney, 2nd May, 1860.*

Ordered to be printed, and taken into consideration in Committee of Supply.

2. Joseph Nobbs :—Mr. Kemp presented a Petition from Joseph Nobbs, of Cook's River, Settler, representing, that in consequence of the erection by the Government of the Dam at Cook's River, certain land possessed by him, in that locality, has been subjected to inundation, and that thereby (particularly recently) he has sustained great loss—and praying relief.

*Petition received.*

3. Papers :—Mr. Weekes laid upon the Table the following Papers—

(1.) Further Papers connected with Disputes between the Collector of Customs and Customs Agents, and others.

(2.) Despatches relative to the Pensions of Colonel Gibbes, and Messrs. Garling, Nash, and Bramwell; late of the Customs Department, Sydney.

*Ordered to be printed.*

4. Abattoir Road Bill :—Mr. Arnold moved, pursuant to notice, for leave to introduce a Bill to facilitate the communication between the Abattoirs and Sydney.

*Debate ensued.*

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

5. Federation of the Australian Colonies :—Dr. Lang moved, That the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee to inquire into the Federation of the Australian Colonies, and that Committee being desirous to consider the Report and Proceedings of the Select Committee of the Legislative Council in reference to this subject, appointed during the Session of 1857, requests that the Legislative Council will communicate to this House a copy of such Report and Proceedings.

*Legislative Assembly Chamber,  
Sydney, 2nd May, 1860.*

*Speaker.*

*Question put and passed.*

6. Paper :—Mr. Robertson laid upon the Table, Return (in part) to Address in reference to Glebes, adopted on motion of Mr. Hart, on the 22nd February last.

*Ordered to be printed.*

7. Point of Order (*Evidence taken at Bar*) :—The Speaker, alluding to the Order made by this House, yesterday, on the motion of Mr. Parkes, for the printing of certain Evidence taken at the Bar before the Committee of the Whole, on Railway Works, intimated his desire that there should be some expression on the part of the House as to the expediency of submitting the proof sheets of such Evidence to the Witnesses, for revision;—

*And*

And the House recognising the proposition as equitable, and analogous in principle to the practice which prevails with respect to Witnesses examined before Select Committees,—

Mr. Hay moved, That in the printing of the Evidence taken before the Committee of the whole House, on the motion of Mr. Parkes, any corrections made by the Witnesses be confined to the margin.

Debate ensued.

Question put and passed.

8. Gunpowder Export Restriction Bill:—The Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to regulate for a limited time the Exportation of Gunpowder and Warlike Stores from the Colony of New South Wales*," returns the same to the Legislative Assembly, without amendment.

Legislative Council Chamber,  
Sydney, 2nd May, 1860.

W. W. BURTON,  
President.

9. The Unemployed:—Mr. Parkes presented a Petition from W. Jennett and J. H. West, on behalf of the Unemployed Laborers and Artizans, Citizens of Sydney, representing that they are reduced to great destitution in consequence of general want of employment, and praying that, as a means of alleviating the distress so severely felt, certain great Public Works, for which large sums of money have been voted, may be entered upon.  
Petition received.
10. Abattoir Road Bill:—Mr. Arnold having presented this Bill, intituled "*A Bill to facilitate the communication between the Abattoirs and Sydney*," read a first time; ordered to be printed, and read a second time to-morrow.
11. Postponement:—The resumption of the Committee of Ways and Means postponed, on motion of Mr. Weekes, until to-morrow.
12. Supply:—On motion of Mr. Weekes (after debate), the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider the Supply to be granted to Her Majesty for the Service of the year 1859-60.

And the Committee continuing to sit till after Midnight,—

THURSDAY, 3 MAY, 1860. A.M.

The Chairman reported progress, and obtained leave to sit again to-morrow.

13. Messages from the Legislative Council:—The Speaker reported that, while the Question for the resumption of the Committee of Supply was under consideration, the following Messages were received from the Legislative Council:—

(1.) Supreme Court Verdicts and Judgments Bill:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled "*An Act to amend the Law with respect to Verdicts and Judgments in the Supreme Court*," presents the same to the Legislative Assembly for its concurrence.

Legislative Council Chamber,  
Sydney, 2nd May, 1860.

W. W. BURTON,  
President.

Bill, on motion of Mr. Kemp, read a first time; ordered to be printed, and read a second time on Tuesday next.

(2.) Commissioner at Newcastle Appointment Bill:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled "*An Act to authorize the Appointment of a Commissioner to issue Writs of Summons and Arrest at the Port of Newcastle*," presents the same to the Legislative Assembly for its concurrence.

Legislative Council Chamber,  
Sydney, 2nd May, 1860.

W. W. BURTON,  
President.

Bill, on motion of Mr. Morris, read a first time; ordered to be printed, and read a second time on Tuesday next.

(3.) Enforcement of Claims against the Crown Bill:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled "*An Act for the Enforcement of Claims against the Crown*," presents the same to the Legislative Assembly for its concurrence.

Legislative Council Chamber,  
Sydney, 2nd May, 1860.

W. W. BURTON,  
President.

Bill, on motion of Mr. Kemp, read a first time; ordered to be printed, and read a second time on Tuesday next.

The House adjourned, on motion of Mr. Robertson, at ten minutes after Twelve o'clock A.M., until Three o'clock P.M. this day.



## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, MAY 3.

*Contingent Notice of Motion:—*

1. MR. WEEKES to move (*in Committee of Supply*),—That there be appropriated a sum not exceeding £78,000, to defray the expenses of the various Departments and Services of the Colony, for the month of May, 1860, at the rates sanctioned for the past year; and a sum not exceeding £14,000, for the Construction of Roads and Bridges, and Public Works and Buildings during the same month.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Abattoir Road Bill; second reading.
2. Ways and Means; Resumption of the Committee.
3. Supply; Resumption of the Committee.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. KEMP to move, That the Petition presented by him on the 2nd May, from Joseph Nobbs, of Cook's River, be printed.
2. MR. PARKES to move, That Mr. Wilcox, the Agent of Sir Morton Peto and Co., in charge of the Northern Line of Railway Extension, be summoned to give Evidence at the Bar of this House.
3. MR. PARKES to move, That the Petition presented by him on the 2nd May, from certain unemployed persons of Sydney, be printed.

## ORDER OF THE DAY:—

1. Parramatta Water Protection Bill; consideration in Committee of Legislative Council's Amendments.

*Questions:—*

1. MR. PARKES to ask THE HONORABLE THE PREMIER,—  
(1.) If the Right Rev. Dr. Gregory has obtained leave of absence from the Colony on half-pay?  
(2.) If so, for what term—on what plea—and on whose application?  
(3.) Do the Government know what arrangements have been made for the performance of the duties of Vicar General during Dr. Gregory's absence?
2. MR. TERRY to ask THE SECRETARY FOR PUBLIC WORKS,—Whether the Government intend to place a sum of money on the Supplementary Estimates for the year 1860 for the erection of a Court House and Gaol at Mudgee; and if so, what sum?
3. MR. TERRY to ask THE SECRETARY FOR PUBLIC WORKS,—Whether the Government are aware that a Bridge on the New Illawarra Line of Road known as Unwin's Bridge was washed away by the late Flood; and, if so, do the Government intend to place a sum of money on the Supplementary Estimates for the year 1860 for the repairs of the said Bridge?
4. MR. CUMMINGS to ask THE SECRETARY FOR PUBLIC WORKS,—If it is the intention of the present Government to carry out the promise made by the late Government, relative to the erection and construction of Bridges at the following places:—Across the Lachlan River, at or near Nanamai; across Eugowra Creek, at or near its junction with the Lachlan River; across Belubula Creek, on main road from Bathurst to Nanamai; and across Winburndale Creek, on main road from Bathurst to Sofala?

FRIDAY, MAY 4.

## OTHER BUSINESS—ORDER OF THE DAY:—

1. Railway Works; Resumption of the Committee to take evidence on.

## NOTICES OF MOTION:—

1. MR. GRAY to move, That the Petition of Thomas George Rusden, Esquire, against the decision of the Election Committee in the case of the Petition against the Return of James Hart, Esquire, at the late General Election, as Representative for the District of New England, be now taken into consideration.
2. MR. ASHER to move,—  
(1.) For a Return shewing the hours of arrival of the various Mails at the following places:—Goulburn, Yass, and Albury.  
(2.) A statement of the various delays in the arrivals of the above Mails for the last six months.  
(3.) A statement of the number of passengers conveyed each trip during the same period.  
(4.) The number of fines enforced from the Contractors by the Government for delays in arrival, and upon what occasions.
3. MR. HODGSON to move, That the Petition from James Boyle, presented by him on the 27th April, be printed.
4. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.

5. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all Correspondence between the Government and Mr. Lewis Markham, and any other persons, relative to the appointment of a District Registrar at Armidale, in lieu of Mr. Baker, resigned.
6. MR. LUCAS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate for the present year, a sum not less than £1,000 for the purpose of repairing the Cook's River Dam.
7. MR. FAUCETT to move,—
  - (1.) That the Town Hall Site Exchange Bill be referred for the consideration and report of a Select Committee.
  - (2.) That such Committee consist of Mr. Kemp, Mr. Laidlaw, Mr. McArthur, Mr. Clements, Mr. Lyons, Mr. Wild, and the Mover.
8. MR. WILD to move,—
  - (1.) That the Report of the Select Committee appointed to inquire into, and report upon, the case of Mr. C. F. Gorton, which was laid upon the Table of this House on the 1st May, be now adopted.
  - (2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
9. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House—Copies of all documents, whether Reports of Boards of Inquiry, or of Magistrates, or correspondence between members of the Sydney Bench and the Government, relating to the removal of Mr. C. Delohery from the office of Chief Clerk of the Sydney Police Office, in the year 1850.
10. DR. LANG to move, That the Order of the Day for the second reading of the Moreton Bay Immigration and Land Company's Act Amendment Bill, which lapsed by the House being counted out on the 27th April, be restored to the Paper, and stand an Order of the Day for Tuesday next.
11. MR. HART to move, That this House will on Tuesday, the 8th instant, resolve itself into a Committee of the Whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the Service of the year 1860, a sum of money not exceeding £100, as compensation to Mrs. Frances De Courcy for injuries sustained by her on the Parramatta Line of Railway, in accordance with the Report of the Select Committee appointed on the 18th day of October last, to inquire into and report upon the allegations contained in Mrs. De Courcy's Petition; and a sum of £52 on the Estimates for the service of the year 1861, being the first annual payment to her, in further accordance with the recommendations contained in the same Report.

ORDERS OF THE DAY:—

1. Members of Council Qualification Bill; second reading.
2. Common Law Procedure Act Extension Bill; second reading.
3. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
4. Mount Keira Tramroad Bill; third reading.
5. New Trials Bill; second reading.
6. Affiliated Colleges Act Amendment Bill; second reading.
7. Bank Statements and Abstracts Regulation Bill; third reading.
8. Official Salaries Alteration Bill; third reading.
9. Necropolis Act Extension Bill; to be further considered in Committee.
10. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
11. Hawkesbury Benevolent Society's Act Amendment Bill; third reading.

Question:—

1. MR. LYONS to ask THE HONORABLE THE PREMIER,—Whether the Government have any intention to introduce a Bill to amend the Municipalities' Act; if so, when?

TUESDAY, MAY 8.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PARKES to move,—
  - (1.) That the Report of the Select Committee on the Condition of the Working Classes of the Metropolis, be now adopted.
  - (2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
2. MR. A. CAMPBELL to move the following Resolutions,—
  - (1.) That in the opinion of this House, the employment of a Branch Line of Steamers between Sydney and Point de Galle affords the most certain, expeditious, and economical mode of carrying out Postal and Telegraphic Communications between England and her Australian Possessions.

(2.)

- (2.) This House is, therefore, of opinion, that it is the duty of this Government to co-operate with the other Australian Colonies in guaranteeing a sufficient subsidy for maintaining such a line of communication.
- (3.) That the foregoing Resolutions be embodied in an Address, and communicated to His Excellency the Governor General, for his information, and for transmission to the Right Honorable the Secretary of State for the Colonies.
3. MR. CUMMINGS to move,—
- (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
- (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.

ORDERS OF THE DAY:—

1. District Courts Act Amendment Bill; second reading.
2. Capital Punishments Abolition Bill; second reading.
3. Law of Primogeniture Abolition Bill; second reading.
4. Inquests concerning Fires Bill; second reading.
5. Sydney Council Debentures Bill; to be considered in Committee.
6. Supreme Court Verdicts and Judgments Bill; second reading.
7. Commissioner at Newcastle Appointment Bill; second reading.
8. Enforcement of Claims against the Crown Bill; second reading.

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TUESDAY, MAY 15.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.

ORDERS OF THE DAY:—

1. Public Lands Bill; second reading.
2. Land Tax Bill; second reading.

T. A. MURRAY,  
Speaker



No. 90.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

THURSDAY, 3 MAY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Paper:—Mr. Robertson laid upon the Table, Return to Address in reference to Mr. Frederick Dunbar, adopted, on motion of Mr. Parkes, on the 3rd April last.  
 Ordered to be printed.
2. Mr. N. L. Kontish:—Mr. Kemp presented a Petition from Mr. Nathaniel Lipscomb Kentish, representing that, having recently held the office of Clerk of Petty Sessions at Condobolin, and subsequently at Molong, he was, on the 31st October last, wrongfully and summarily dismissed from his office at the latter place; and praying for an investigation into the circumstances of the case by some competent authority.  
 Petition received.
3. Mr. David Morris (*and others*):—Mr. Hodgson, as Chairman, brought up the Report from, and laid upon the Table the Proceedings of, and Minutes of Evidence taken before, the Select Committee to whom was referred on the 20th September last, the case of Mr. David Morris (*and others, who claimed compensation for Lands and Tenements at Honeysuckle Point, Newcastle, from which—on account of Railway purposes—they alleged they had been summarily ejected*), together with Appendix.  
 Ordered to be printed.
4. Abattoir Road Bill:—Mr. Arnold moved, That this Bill be "now" read a second time.  
 Mr. Terry moved, That the Question be amended by the omission of the word "now," with a view to add at the end the words "this day six months."  
 Debate ensued.  
 Question,—That the word proposed to be omitted stand part of the Question,—put and passed.  
 Original Question put and passed;—  
 And Bill read a second time.  
 Whereupon, on motion of Mr. Arnold, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill.  
 The Chairman having reported the Bill without amendment, the House adopted the same.  
 Mr. Arnold then moved, That the third reading of this Bill stand an Order of the Day for "to-morrow."  
 Mr. Jenkins moved, That the Question be amended, by the omission of the word "to-morrow," with a view to the insertion in its place of the words "this day month."  
 Question put,—That the word proposed to be omitted stand part of the Question.  
 The House divided.

Ayes, 28.

Mr. Robertson,	Mr. Samuel,	
Mr. Arnold,	Mr. Lyons,	
Mr. Weekes,	Mr. Hart,	
Mr. Rotton,	Mr. Byrnes,	
Mr. Wild,	Mr. Piddington,	
Mr. Wilson,	Mr. J. Campbell,	
Mr. Russell,	Rev. Dr. Lang,	
Mr. Kemp,	Mr. Wisdom,	
Mr. Black,	Mr. Hodgson,	
Mr. Parkes,	Mr. Macleay,	
Mr. Pemell,	Mr. Laidlaw,	
Mr. Flett,	Mr. Hay,	
Mr. Gordon,	Mr. Egan,	
Mr. Ryan,	Mr. Windeyer,	} Tellers.

Noes, 7.

Mr. Jenkins,	
Mr. Terry,	
Mr. A. Campbell,	
Mr. Close,	
Mr. Cummings,	
Mr. Lucas,	
Mr. Hoskins,	} Tellers.

Original Question then put and passed.

5. **Ways and Means** :—On motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider of the Ways and Means to meet the Supply granted to Her Majesty for the Service of the year 1859-60. The Chairman obtained leave to sit again on Wednesday next, and reported the following Resolution :—
- (8.) Resolved, That towards making good the Supply granted to Her Majesty, for the Service of the year 1860, the sum of £519,946 be granted out of the Consolidated Revenue Fund of New South Wales.
- Mr. Weekes then moved, That this House do now adopt this Resolution.
- Question put and passed.
6. **Supply** :—On motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider the Supply to be granted to Her Majesty for the Service of the year 1859-60.

And the Committee continuing to sit till after Midnight,—

*FRIDAY, 4 MAY, 1860. A.M.*

The Chairman obtained leave to sit again on Wednesday next, and reported the following Resolutions :—

#### ESTIMATES FOR 1860.

##### No. VI.—SECRETARY FOR LANDS.

- (129.) Resolved, that there be granted to Her Majesty, a sum not exceeding £8,000, to defray Commission on Sales of Lands and for Advertisements, for the year 1860.
- (130.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,310, to defray the salaries and contingencies for the Management of Alpacas, for the year 1860.
- (131.) Resolved, that there be granted to Her Majesty, a sum not exceeding £50,879, to defray the salaries and contingencies of the establishment for the Survey of Lands, for the year 1860.
- (132.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,014, to defray the salaries and contingencies of the Establishments for the Occupation of Lands, for the year 1860.
- (133.) Resolved, that there be granted to Her Majesty, a sum not exceeding £35,011, to defray the expenses of Immigration, for the year 1860; being £30,000 for Emigration from the United Kingdom; and £5,011 for the salaries and contingencies of the Immigration Establishments.
- (134.) Resolved, that there be granted to Her Majesty, a sum not exceeding £8,425, to defray the salaries and contingencies of the Gold Fields Establishments, for the year 1860.
- (135.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,250, as a Gold Contingent to meet unforeseen expenses, in cases of emergency, for the year 1860.
- (136.) Resolved, that there be granted to Her Majesty, a sum not exceeding £655, to defray the expenses of the Establishment of the Examiner of Coal Fields, for the year 1860.
- (137.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,458, to defray the salaries and contingencies of the Botanic Gardens Establishment, Sydney, for the year 1860.
- (138.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,323, to defray the salaries and contingencies of the Establishment of the Government Domains and Hyde Park, for the year 1860.
- (139.) Resolved, that there be granted to Her Majesty, a sum not exceeding £44,275, to defray the expenses of Internal Communication, for the year 1860; being £42,220 for the construction and maintenance of Roads other than Main Roads; and £2,055 for Ferries.
- (140.) Resolved, that there be granted to Her Majesty, a sum not exceeding £500, to defray Miscellaneous Services, for the year 1860, being a contribution towards rewarding the successful prosecution of an Exploration of the Interior of New Holland, from South Australia to the North-Western Portions of the Continent.

##### • No. VII.—SECRETARY FOR PUBLIC WORKS.

- (141.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,500, to defray the salary of the Secretary for Public Works, for the year 1860.

##### No. IV.—ADMINISTRATION OF JUSTICE.

- (142.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,948, to defray the salaries and contingencies of the Establishment of the Law Officers of the Crown, for the year 1860.
- (143.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,987, to defray the salaries and contingencies of the Establishments of the Supreme and Circuit Courts, for the year 1860.
- (144.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,612, to defray the salaries and contingencies of the Establishment of the Sheriff, for the year 1860.

(145.)

(145.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,280, to defray the salaries of the Establishment of the Insolvent Court, for the year 1860.

(146.) Resolved, that there be granted to Her Majesty, a sum not exceeding £16,271, to defray the salaries and contingencies of the District Courts Establishments, for the year 1860, being £3,476 for the Metropolitan District; £2,235 for the Cumberland and Coast District; £1,960 for the Southern District; £1,860 for the Western District; £2,140 for the Northern District; and £4,600 for contingencies.

(147.) Resolved, that there be granted to Her Majesty, a sum not exceeding £8,084, to defray the salaries and contingencies of the Quarter Sessions Establishments, for the year 1860.

(148.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,224, to defray the salaries and contingencies of the Coroners' Establishments, for the year 1860.

(149.) Resolved, that there be granted to Her Majesty, a sum not exceeding £290, to defray the expenses of the Court of Claims, for the year 1860.

#### NO. VI.—SECRETARY FOR LANDS.

(150.) Resolved, that there be granted to Her Majesty, a sum not exceeding £10,000 to defray the salaries and contingencies of the Department of Lands for the year 1860.

#### VOTE OF CREDIT.

(151.) Resolved, that there be appropriated a sum not exceeding £78,000 to defray the expenses of the various Departments and Services of the Colony, for the month of May, 1860, at the rates sanctioned for the past year; and a sum not exceeding £14,000 for the construction of Roads and Bridges and Public Works and Buildings during the same month.

Mr. Weekes then moved, That this House do now adopt these Resolutions.

Question put and passed.

7. The Speaker reported that shortly after the House had gone into Committee of Supply, the following Messages were received from the Legislative Council :—

(1.) Seamen's Engagement Amendment Bill :—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled, "*An Act to facilitate the Engagement of Seamen for the Colonial Trade*," with the Amendments indicated by the accompanying Schedule, in which Amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,

Sydney, 3rd May, 1860.

W. W. BURTON,

President.

Mr. Weekes moved, That the consideration in Committee of the Amendments made by the Legislative Council in this Bill stand an Order of the Day for Tuesday next.

Question put and passed.

(2.) Federation of the Australian Colonies :—

MR. SPEAKER,

In compliance with the request contained in the Message of the Legislative Assembly, dated 2nd instant, the Legislative Council communicates herewith a copy of the Report and Minutes of the Proceedings of its Select Committee, during the Session of 1857, on Australian Federation.

Legislative Council Chamber,

Sydney, 3rd May, 1860.

W. W. BURTON,

President.

8. Joseph Nobbs :—Mr. Kemp moved, pursuant to notice, That the Petition presented by him on the 2nd May, from Joseph Nobbs, of Cook's River, be printed.

Question put and passed.

Ordered to be printed.

9. Railway Works :—Mr. Parkes moved, pursuant to notice, That Mr. Wilcox, the Agent of Sir Morton Peto and Co., in charge of the Northern Line of Railway Extension, be summoned to give Evidence at the Bar of this House.

Question put and passed.

10. The Unemployed :—Mr. Parkes moved, pursuant to notice, That the Petition presented by him on the 2nd May, from certain unemployed persons of Sydney, be printed.

Debate ensued.

Question put and passed.

Ordered to be printed.

11. Paper :—Mr. Robertson laid upon the Table, Schedule referred to in the Estimates in Chief for the Department of Lands, for the year 1860.

Ordered to be printed.

12. Parramatta Water Protection Bill :—On motion of Mr. Byrnes, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Amendments made in this Bill by the Legislative Council.

The Chairman having reported that the Committee had agreed to the First, and had disagreed to the Second, Amendment made in this Bill,—

Mr. Byrnes moved, That this House do now adopt this Report.

Question put and passed.

The House adjourned at ten minutes before One o'clock A.M., until Three o'clock P.M., this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, MAY 4.

## OTHER BUSINESS—ORDER OF THE DAY:—

1. Railway Works; Resumption of the Committee to take evidence on.

## NOTICES OF MOTION:—

1. MR. GRAY to move, That the Petition of Thomas George Rusden, Esquire, against the decision of the Election Committee in the case of the Petition against the Return of James Hart, Esquire, at the late General Election, as Representative for the District of New England, be now taken into consideration.
2. MR. ASHER to move,—
  - (1.) For a Return shewing the hours of arrival of the various Mails at the following places:—Goulburn, Yass, and Albury.
  - (2.) A statement of the various delays in the arrivals of the above Mails for the last six months.
  - (3.) A statement of the number of passengers conveyed each trip during the same period.
  - (4.) The number of fines enforced from the Contractors by the Government for delays in arrival, and upon what occasions.
3. MR. HODGSON to move, That the Petition from James Boyle, presented by him on the 27th April, be printed.
4. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
5. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all Correspondence between the Government and Mr. Lewis Markham, and any other persons, relative to the appointment of a District Registrar at Armidale, in lieu of Mr. Baker, resigned.
6. MR. LUCAS to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate for the present year, a sum not less than £1,000 for the purpose of repairing the Cook's River Dam.
7. MR. FAUCETT to move,—
  - (1.) That the Town Hall Site Exchange Bill be referred for the consideration and report of a Select Committee.
  - (2.) That such Committee consist of Mr. Kemp, Mr. Laidlaw, Mr. McArthur, Mr. Clements, Mr. Lyons, Mr. Wild, and the Mover.
8. MR. WILD to move,—
  - (1.) That the Report of the Select Committee appointed to inquire into, and report upon, the case of Mr. C. F. Gorton, which was laid upon the Table of this House on the 1st May, be now adopted.
  - (2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
9. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House—Copies of all documents, whether Reports of Boards of Inquiry, or of Magistrates, or correspondence between members of the Sydney Bench and the Government, relating to the removal of Mr. C. Delohery from the office of Chief Clerk of the Sydney Police Office, in the year 1850.
10. DR. LANG to move, That the Order of the Day for the second reading of the Morston Bay Immigration and Land Company's Act Amendment Bill, which lapsed by the House being counted out on the 27th April, be restored to the Paper, and stand an Order of the Day for Tuesday next.
11. MR. HART to move, That this House will on Tuesday, the 8th instant, resolve itself into a Committee of the Whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the Service of the year 1860, a sum of money not exceeding £100, as compensation to Mrs. Frances De Courcy for injuries sustained by her on the Parramatta Line of Railway, in accordance with the Report of the Select Committee appointed on the 18th day of October last, to inquire into and report upon the allegations contained in Mrs. De Courcy's Petition; and a sum of £52 on the Estimates for the service of the year 1861, being the first annual payment to her, in further accordance with the recommendations contained in the same Report.

## ORDERS OF THE DAY:—

1. Members of Council Qualification Bill; second reading.
2. Common Law Procedure Act Extension Bill; second reading.
3. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.



4. Mount Keira Tramroad Bill; third reading.
5. New Trials Bill; second reading.
6. Affiliated Colleges Act Amendment Bill; second reading.
7. Bank Statements and Abstracts Regulation Bill; third reading.
8. Official Salaries Alteration Bill; third reading.
9. Necropolis Act Extension Bill; to be further considered in Committee.
10. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
11. Hawkesbury Benevolent Society's Act Amendment Bill; third reading.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Abattoir Road Bill; third reading.

Questions:—

1. MR. LYONS to ask THE HONORABLE THE PREMIER,—Whether the Government have any intention to introduce a Bill to amend the Municipalities' Act; if so, when?
2. MR. WILD to ask THE SECRETARY FOR PUBLIC WORKS,—
  - (1.) Whether Tenders have yet been accepted for the re-construction of the Bridges at Camden and Berrima?
  - (2.) If not, whether there is any objection to forward copies of the specifications to the Police Offices at those places, in order to afford a fairer chance of competition to persons residing in the neighbourhood?
3. MR. WILD to ask THE SECRETARY FOR PUBLIC WORKS,—What course is intended to be taken, in reference to a sum of money voted some time since, for the erection of a Bridge over the Bargo River, the claim to which was recognised by the late Government?

TUESDAY, MAY 8.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PARKES to move,—
  - (1.) That the Report of the Select Committee on the Condition of the Working Classes of the Metropolis, be now adopted.
  - (2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
2. MR. A. CAMPBELL to move the following Resolutions,—
  - (1.) That in the opinion of this House, the employment of a Branch Line of Steamers between Sydney and Point de Galle affords the most certain, expeditious, and economical mode of carrying out Postal and Telegraphic Communications between England and her Australian Possessions.
  - (2.) This House is, therefore, of opinion, that it is the duty of this Government to co-operate with the other Australian Colonies in guaranteeing a sufficient subsidy for maintaining such a line of communication.
  - (3.) That the foregoing Resolutions be embodied in an Address, and communicated to His Excellency the Governor General, for his information, and for transmission to the Right Honorable the Secretary of State for the Colonies.
3. MR. CUMMINGS to move,—
  - (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
  - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
4. MR. TERRY to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, a sum of money not exceeding £7,000 for the erection of a Court House and Gaol at Mudgee.

ORDERS OF THE DAY:—

1. District Courts Act Amendment Bill; second reading.
2. Capital Punishments Abolition Bill; second reading.
3. Law of Primogeniture Abolition Bill; second reading.
4. Inquests concerning Fires Bill; second reading.
5. Sydney Council Debentures Bill; to be considered in Committee.
6. Supreme Court Verdicts and Judgments Bill; second reading.
7. Commissioner at Newcastle Appointment Bill; second reading.
8. Enforcement of Claims against the Crown Bill; second reading.
9. Seamen's Engagement Amendment Bill; consideration in Committee of Legislative Council's Amendments.

WEDNESDAY,

WEDNESDAY, MAY 9.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Ways and Means; Resumption of the Committee.
  2. Supply; Resumption of the Committee.
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FRIDAY, MAY 11.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. HODGSON to move,—  
(1.) That the Report of the Select Committee appointed to inquire into, and report upon, the case of Mr. David Morris and others, which was laid upon the Table of this House on 3rd May, be now adopted.  
(2.) That an Address be presented to the Governor General, transmitting a Copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
  2. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return, in a tabular form, shewing the names of all persons who have been concerned in the sale, measurement, or management, of Crown Lands, since the passing of the Lands' Sale Act, 5 and 6 Victoria, Cap. 36, who have become purchasers of Crown Lands; the respective offices held by them; date of sale; quantity purchased; whether town, suburban, or country lots; the rate paid per acre; whether purchased by auction, or selected after sale; and lastly, the total amount of land so alienated, and the sum realized from the sales.
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TUESDAY, MAY 15.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.

ORDERS OF THE DAY:—

1. Public Lands Bill; second reading.
2. Land Tax Bill; second reading.

T. A. MURRAY,  
*Speaker*

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No. 91.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

FRIDAY, 4 MAY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Papers :—Mr. Robertson laid upon the Table the following Papers :—  
(1.) Letter from District Court Judge Cary, to The Colonial Secretary, dated 3rd May, 1860, offering remarks in reference to Judge Cary's son's practising in his father's Court.  
(2.) Third Yearly Report of the Municipal Council of the City Sydney of their proceedings in connection with the Sewerage and Water Works.  
Ordered to be printed.
  2. Returning Officer, New England :—Mr. Gray presented a Petition from certain Inhabitants of the District of New England, praying that the Petition of Thomas George Rusden, (*presented to this House on the 22nd December last*), may be so considered as to afford an opportunity of refuting certain alleged slanders against the Returning Officer at the late New England Election.  
Petition received.
  3. Cook's River Dam :—Mr. Lucas presented a Petition from certain Landholders and Inhabitants of Cook's River District, complaining that, in consequence of the recent Floods, the Road over the Dam at Cook's River has become dangerous for the transit of vehicles, and praying relief.  
Petition received.
  4. Chinese Immigration Regulation Bill :—Mr. Lucas having *presented* this Bill, Bill, intituled "*A Bill to Regulate Chinese Immigration*," read a first time; ordered to be printed, and read a second time this day week.
  5. Railway Works :—On the Order of the Day being read for the resumption of the Committee to take Evidence on Railway Works, the Speaker left the Chair, and the House resolved itself into the said Committee.  
The Chairman reported progress, and obtained leave to sit again this day week,—to take precedence of all other Business on the Paper for that day.
  6. Parramatta Water Protection Bill :—Mr. McArthur moved, That the following Message be carried to the Legislative Council.  
MR. PRESIDENT,  
The Legislative Assembly having had under consideration the Amendments made by the Legislative Council in the Bill, intituled "*An Act to protect from pollution the Fresh Water collected for the Supply of the Inhabitants of the Town and Suburbs of Parramatta*," Agrees to the Amendment in Clause 1, line 10, which proposes to insert after the word "animal," the words "or any carriage, cart, or other vehicle"; and Disagrees to the Amendment which proposes the omission of Clause 3, because the adoption of such Amendment would interfere very injuriously with existing interests of individuals in the Suburbs.  
*Legislative Assembly Chamber,*  
*Sydney, 4th May, 1860.* Speaker.
- Question put and passed.
7. Railway Works :—Mr. Parkes, with the concurrence of the House, moved, without previous notice, That the Evidence taken at the Bar this day, in Committee of the Whole on Railway Works, be printed.  
Question put and passed.  
Ordered to be printed.
  8. Postponement :—Mr. Gray postponed the motion standing in his name, No. 1 on the Notice Paper for to-day, until Tuesday next.
  9. Motion dropped :—Mr. Asher not making the motion standing in his name, No. 2 on the Notice Paper for to-day, it dropped.
  10. Mr. James Boyle :—Mr. Hodgson moved, pursuant to notice, That the Petition from James Boyle, presented by him on the 27th April, be printed.  
Question put and passed.  
Ordered to be printed.

11. Postponement :—Dr. Lang postponed the motion standing in his name, No. 4 on the Notice Paper for to-day, until this day week.
12. District Registrar, Armidale :—Mr. Hart moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—A copy of all Correspondence between the Government and Mr. Lewis Markham, and any other persons, relative to the appointment of a District Registrar at Armidale, in lieu of Mr. Baker, resigned.  
Question put and passed.
13. Cook's River Dam :—Mr. Lucas moved, pursuant to notice, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon a Supplementary Estimate for the present year, a sum not less than £1,000 for the purpose of repairing the Cook's River Dam.  
Debate ensued.  
Question put.  
The House divided.

## Ayes, 17.

Rev. Dr. Lang,	Mr. Broughton,	
Mr. Kemp,	Mr. Close,	
Mr. Hart,	Mr. Wild,	
Mr. Windeyer,	Mr. Faucett,	
Mr. Gordon,	Mr. Cummings,	} Tellers.
Mr. Parkes,	Mr. Lucas,	
Mr. Flett,		
Mr. Lyons,		
Mr. Penell,		
Mr. Terry,		
Mr. McArthur,		

## Noes, 11.

Mr. Robertson,	
Mr. Weekes,	
Mr. Piddington,	
Mr. Laidlaw,	
Mr. Egan,	
Mr. Wisdom,	
Mr. Hamilton,	
Mr. Forster,	
Mr. Arnold,	
Mr. Rotton,	} Tellers.
Mr. Morris,	

14. Federation of the Australian Colonies :—Dr. Lang, with the concurrence of the House, moved, without previous notice, That the Report and Minutes of the Proceedings of the Select Committee of the Legislative Council, during the Session of 1857, on Australian Federation, communicated by the Council to this House by Message yesterday, be referred to the Select Committee of this House on the Federation of the Australian Colonies, now sitting.  
Question put and passed.
15. Town Hall Site Exchange Bill :—Mr. Faucett moved, pursuant to notice,—  
(1.) That the Town Hall Site Exchange Bill be referred for the consideration and report of a Select Committee.  
(2.) That such Committee consist of Mr. Kemp, Mr. Laidlaw, Mr. McArthur, Mr. Clements, Mr. Lyons, Mr. Wild, and the Mover.  
Question put and passed.
16. Mr. C. F. Gorton :—Mr. Wild moved, pursuant to notice,—  
(1.) That the Report of the Select Committee appointed to inquire into, and report upon, the case of Mr. C. F. Gorton, which was laid upon the Table of this House on the 1st May, be now adopted.  
(2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.  
Question put and passed.
17. Mr. C. Delohery :—Mr. Parkes moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—Copies of all documents, whether Reports of Boards of Inquiry, or of Magistrates, or correspondence between members of the Sydney Bench and the Government, relating to the removal of Mr. C. Delohery from the office of Chief Clerk of the Sydney Police Office, in the year 1850.  
Question put and passed.
18. Moreton Bay Immigration and Land Company's Act Amendment Bill :—Dr. Lang moved, pursuant to notice, That the Order of the Day for the second reading of the Moreton Bay Immigration and Land Company's Act Amendment Bill, which lapsed by the House being counted out on the 27th April, be restored to the Paper, and stand an Order of the Day for Tuesday next.  
Question put and passed.
19. Mrs. Frances De Courey :—Mr. Hart moved, pursuant to notice, That this House will on Tuesday, the 8th instant, resolve itself into a Committee of the Whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the Service of the year 1860, a sum of money not exceeding £100, as compensation to Mrs. Frances De Courey for injuries sustained by her on the Parramatta Line of Railway, in accordance with the Report of the Select Committee appointed on the 18th day of October last, to inquire into and report upon the allegations contained in Mrs. De Courey's Petition; and a sum of "£52" on the Estimates for the Service of the year 1861, being the first annual payment to her, in further accordance with the recommendations contained in the same Report.  
Debate ensued.  
Mr. Lucas moved, That the Question be amended, by the omission of the figures "52," with a view to the insertion in their place of the figures "100."  
Debate continued.

Question

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

Ayes, 17,

Mr. Robertson,	Mr. Parkes,	} Tellers.
Mr. Arnold,	Mr. Rotton,	
Mr. Weekes,	Mr. Faucett,	
Mr. Close,	Mr. Forster,	
Mr. Hart,	Mr. Terry,	
Mr. Blake,	Mr. Fiddington,	
Mr. Laidlaw,	Mr. Lyons,	
Mr. Kemp,	Mr. Morris,	
Mr. Gordon,		

Noes, 6.

Mr. Wilson,	} Tellers.
Mr. Lucas,	
Mr. Wisdom,	
Rev. Dr. Lang,	
Mr. Windeyer,	
Mr. Hoskins,	

Original Question then put and passed.

20. Postponement:—The second reading of the Members of Council Qualification Bill postponed, on motion of Mr. Faucett, until Friday next.

And the House continuing to sit till after Midnight,—

SATURDAY, 5 MAY, 1860. A.M.

21. Common Law Procedure Act Extension Bill:—Mr. Faucett moved, That this Bill be now read a second time.  
Debate ensued.

Notice being taken that there was not a Quorum of Members present, the House was counted, and there being only Nineteen Members present, exclusive of the Speaker, viz.:—Mr. Arnold, Mr. Close, Mr. Faucett, Mr. Flett, Mr. Gordon, Mr. Hoskins, Mr. Kemp, Mr. Lucas, Mr. Lyons, Mr. Morris, Mr. Parkes, Mr. Piddington, Mr. Robertson, Mr. Rotton, Mr. Terry, Mr. Weekes, Mr. Wilson, Mr. Windeyer, and Mr. Wisdom,—The Speaker adjourned the House, at twenty minutes after Twelve o'clock, A.M., until Tuesday next, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, MAY 8.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PARKES to move,—
  - (1.) That the Report of the Select Committee on the Condition of the Working Classes of the Metropolis, be now adopted.
  - (2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
2. MR. A. CAMPBELL to move the following Resolutions,—
  - (1.) That in the opinion of this House, the employment of a Branch Line of Steamers between Sydney and Point de Galle affords the most certain, expeditious, and economical mode of carrying out Postal and Telegraphic Communications between England and her Australian Possessions.
  - (2.) This House is, therefore, of opinion, that it is the duty of this Government to co-operate with the other Australian Colonies in guaranteeing a sufficient subsidy for maintaining such a line of communication.
  - (3.) That the foregoing Resolutions be embodied in an Address, and communicated to His Excellency the Governor General, for his information, and for transmission to the Right Honorable the Secretary of State for the Colonies.
3. MR. CUMMINGS to move,—
  - (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
  - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
4. MR. TERRY to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, a sum of money not exceeding £7,000 for the erection of a Court House and Gaol at Mudgee.
5. MR. MCARTHUR to move,—
  - (1.) That the following Members be added to the Select Committee on Retrenchment in the Public Expenditure, viz.:—Mr. Robertson, Mr. Gray, Mr. Wild, Mr. Wisdom, and Mr. Gordon.
  - (2.) That the Evidence taken before the similar Committee during the last Session of Parliament, be referred to the Committee now sitting.

6. MR. GRAY to move, That the Petition from certain Inhabitants of New England, relative to Returning Officer, New England, presented by him on the 4th May, be printed.
7. MR. LUCAS to move, That the Petition from certain Inhabitants of Cook's River District, relative to Cook's River Dam, presented by him on the 4th May, be printed.
8. MR. GRAY to move, That the Petition of Thomas George Rusden, Esquire, against the decision of the Election Committee in the case of the Petition against the Return of James Hart, Esquire, at the late General Election, as Representative for the District of New England, be now taken into consideration.

ORDERS OF THE DAY:—

1. District Courts Act Amendment Bill; second reading.
2. Capital Punishments Abolition Bill; second reading.
3. Law of Primogeniture Abolition Bill; second reading.
4. Inquests concerning Fires Bill; second reading.
5. Sydney Council Debentures Bill; to be considered in Committee.
6. Supreme Court Verdicts and Judgments Bill; second reading.
7. Commissioner at Newcastle Appointment Bill; second reading.
8. Enforcement of Claims against the Crown Bill; second reading.
9. Seamen's Engagement Amendment Bill; consideration in Committee of Legislative Council's Amendments.
10. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
11. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
12. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
13. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
14. Mount Keira Tramroad Bill; third reading.
15. New Trials Bill; second reading.
16. Affiliated Colleges Act Amendment Bill; second reading.
17. Bank Statements and Abstracts Regulation Bill; third reading.
18. Official Salaries Alteration Bill; third reading.
19. Necropolis Act Extension Bill; to be further considered in Committee.
20. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
21. Hawkesbury Benevolent Society's Act Amendment Bill; third reading.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Abattoir Road Bill; third reading.

Questions:—

1. MR. ROTTON to ask THE SECRETARY FOR PUBLIC WORKS,—  
(1.) What temporary arrangements are made, if any, for the public traffic across the Nepean River at Penrith, where it intersects the Main Western Trunk Line of Road?  
(2.) Whether the Government has ascertained the intentions of the Penrith Bridge Company with reference to the re-construction of the bridge recently swept away by the flood?  
(3.) If the Company decides not to re-build the bridge, will the Government, without loss of time, take steps to revoke the Charter, and apply to Parliament for the means and authority to erect a permanent bridge?
2. MR. WILSON to ask THE HONORABLE THE PREMIER,—When the Returns ordered by this House on the 22nd February, shewing the names of all persons put upon their trial for Capital Offences in New South Wales, since 1840, and the number acquitted, will be laid upon the Table of this House?
3. MR. WILSON to ask THE SECRETARY FOR LANDS,—What steps, if any, the Government have taken to ascertain the truth of the allegations contained in the Petition presented on the 27th January, from 427 Miners residing on the Adelong Gold Fields, representing, that in consequence of certain acts of injustice on the part of the Gold Fields Commissioner, a Quartz Crushing Machine erected by Messrs. Edwards and Channon remains inoperative, to the great detriment of the Inhabitants of those Gold Fields?
4. MR. LYONS to ask THE HONORABLE THE PREMIER,—Whether the Government have thought proper to ascertain the truth of the statement, made in this House on Thursday evening last, in reference to Judge Cary—particularly that statement which went to assert, that that Judge in receiving a verdict from a jury, said he would send the prisoner found guilty to Cockatoo—but that he thought the jury fitter subjects for that establishment?
5. MR. BYRNES to ask THE HONORABLE THE PREMIER,—Whether the Government are aware that a person named Knipe, who was convicted before the Chief Justice about January last, and sentenced to three years' imprisonment, but which sentence, in consequence of a statement of the Sheriff as to the health of the prisoner, was commuted to one year in Darlinghurst Gaol, is now at large—and if so, through what means; and also, whether the Government have any objection to place all correspondence, if any, relative to the prisoner upon the Table of this House?
6. MR. GORDON to ask THE COLONIAL TREASURER,—Whether the Government, or the Light and Pilot Board, under their instructions, have instituted any inquiry into the cause of the late boat accident, by which the second mate and two seamen belonging to the steamship "Kiama" were drowned near the Port of Wollongong?

WEDNESDAY,

WEDNESDAY, MAY 9.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Ways and Means; Resumption of the Committee.
2. Supply; Resumption of the Committee.

FRIDAY, MAY 11.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Railway Works; Resumption of the Committee to take evidence on.

NOTICES OF MOTION:—

1. MR. HODGSON to move,—  
 (1.) That the Report of the Select Committee appointed to inquire into, and report upon, the case of Mr. David Morris and others, which was laid upon the Table of this House on 3rd May, be now adopted.  
 (2.) That an Address be presented to the Governor General, transmitting a Copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
2. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return, in a tabular form, shewing the names of all persons who have been concerned in the sale, measurement, or management, of Crown Lands, since the passing of the Lands' Sale Act, 5 and 6 Victoriae, Cap. 36, who have become purchasers of Crown Lands; the respective offices held by them; date of sale; quantity purchased; whether town, suburban, or country lots; the rate paid per acre; whether purchased by auction, or selected after sale; and lastly, the total amount of land so alienated, and the sum realized from the sales.
3. MR. WINDEYER to move,—  
 (1.) That the Report of the Select Committee on the Sydney Grammar School be now adopted.  
 (2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
4. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.

ORDERS OF THE DAY:—

1. Chinese Immigration Regulation Bill; second reading.
2. Members of Council Qualification Bill; second reading.

TUESDAY, MAY 15.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.

ORDERS OF THE DAY:—

1. Public Lands Bill; second reading.
2. Land Tax Bill; second reading.

T. A. MURRAY,  
*Speaker.*





No. 92.

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

TUESDAY, 8 MAY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Member Sworn :—James Squire Farnell, Esquire, having taken the Oath and subscribed the Roll, took his Seat as Member for the Electoral District of St. Leonard's.
2. Condition of the Working Classes of the Metropolis :—Mr. Parkes (having addressed the House), proceeding to make the motion standing in his name No. 1 on the Notice Paper for to-day ;—
3. The following Messages from His Excellency the Governor General received and read :—

(1.) Proposed Correction of Error in Vote of Supply :—

W. DENISON,

*Message No. 34.**Governor General.*

In the General Estimates for 1860, the Governor General proposed to the Legislative Assembly to appropriate the sum of £750 for " the erection of Additional Buildings at Camp Cove for Pilots ;" and the Vote was so passed.

The attention of the Governor General has since been drawn to the circumstance that it was intended to expend the amount in question upon the erection of Buildings at Watson's Bay for Pilots' Crews; and His Excellency, therefore, with the advice of the Executive Council, now invites the Assembly to cancel their previous Vote, and to appropriate a similar amount for the erection of the Buildings on the site really intended.

*Government House,**Sydney, 8th May, 1860.*

(2.) Further Additional Estimate for 1860 :—

W. DENISON,

*Message No. 35.**Governor General.*

In accordance with the provisions contained in the 54th Clause of the Constitution Act, the Governor General herewith submits, for the consideration of the Legislative Assembly, a Further Additional Estimate of Expenditure for the year 1860.

*Government House,**Sydney, 8th May, 1860.*

Ordered, on motion of Mr. Weekes, to be printed, together with the accompanying Estimate, and taken into consideration in Committee of Supply.

4. Condition of the Working Classes of the Metropolis :—Mr. Parkes, (after the interruption recorded in Entry No. 3) moved, pursuant to notice,—

(1.) That the Report of the Select Committee on the Condition of the Working Classes of the Metropolis be now adopted.

(2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.

Debate ensued.

Question put.

The House divided.

Ayes, 6.

Mr. Pemell,	} Tellers.
Mr. Laycock,	
Mr. Lucas,	
Mr. Hoskins,	
Mr. Windleyer,	
Mr. Parkes,	

Nocs, 27.

Mr. Robertson,	Mr. A. Campbell,	} Tellers.
Mr. Weekes,	Mr. Samuel,	
Mr. Arnold,	Mr. Piddington,	
Mr. Garrett,	Mr. Ryan,	
Mr. McArthur,	Mr. Black,	
Mr. Dickson,	Mr. Laidlaw,	
Mr. Terry,	Mr. Hurley,	
Mr. Kemp,	Mr. Broughton,	
Mr. Rotton,	Mr. Russell,	
Mr. Hay,	Mr. Glose,	
Mr. Jamison,	Mr. Farnell,	
Mr. Gordon,	Mr. Irving,	
Mr. J. Campbell,	Mr. Clements,	
Mr. Forster,		

5.

5. Steam Postal Service—Proposed Branch Line by Point de Galle:—Mr. A. Campbell moved, pursuant to notice, *as amended by consent*, the following Resolutions,—
- (1.) That in the opinion of this House, the employment of a Branch Line of Steamers between Sydney and Point de Galle affords an expeditious and economical mode of carrying out Postal and Telegraphic Communications between England and her Australian Possessions.
- (2.) This House is, therefore, of opinion, that it is the duty of this Government to co-operate with the other Australian Colonies in guaranteeing a sufficient subsidy for maintaining such a line of communication, pending the Establishment of the proposed Steam Postal Service *via* Panama.
- (3.) That the foregoing Resolutions be embodied in an Address, and communicated to His Excellency the Governor General, for his information, and for transmission to the Right Honorable the Secretary of State for the Colonies.
- Debate ensued.  
Question put.  
The House divided.

## Ayes, 23.

Mr. Robertson,	Mr. Forster,	
Mr. Weckes,	Mr. Faucett,	
Mr. Arnold,	Mr. Ryan,	
Mr. Dickson,	Mr. Hart,	
Mr. Clements,	Mr. Wild,	
Mr. Blake,	Mr. A. Campbell,	
Mr. Samuel,	Mr. Lyons,	
Mr. Egan,	Mr. Hay,	
Mr. Hamilton,	Rev. Dr. Lang,	
Mr. Hurley,	Mr. Morris,	
Mr. Broughton,	Mr. McArthur,	} Tellers.
Mr. Hoskins,		

## Noes, 23.

Mr. Hodgson,	Mr. Windoyer,	
Mr. Piddington,	Mr. Lucas,	
Mr. Wilson,	Mr. Jamison,	
Mr. Pemell,	Mr. Roberts,	
Mr. Flett,	Mr. Gray,	
Mr. Scott,	Mr. Farnell,	
Mr. Kemp,	Mr. Close,	
Mr. Wisdom,	Mr. Ferry,	
Mr. Laycock,	Mr. Gordon,	
Mr. Rotton,	Mr. Irving,	
Mr. Cummings,	Mr. Garrett,	} Tellers.
Mr. Parkes,		

The Numbers being equal, the Speaker, (with a view to leaving the subject open for further discussion,) gave his vote with the Noes, and declared the Question to have passed in the *Negative*.

6. Postponement:—Mr. Cummings postponed the motion standing in his name, No. 3 on the Notice Paper for to-day, until this day week.
7. Motion withdrawn:—Mr. Terry withdrew the motion standing in his name, No. 4 on the Notice Paper for to-day.
8. Retrenchment in the Public Expenditure:—Mr. McArthur moved, pursuant to notice,—
- (1.) That the following Members be added to the Select Committee on Retrenchment in the Public Expenditure, viz.:—Mr. Robertson, Mr. Gray, Mr. Wild, Mr. Wisdom, and Mr. Gordon.
- (2.) That the Evidence taken before the similar Committee during the last Session of Parliament be referred to the Committee now sitting.
- Question put and passed.
9. Returning Officer, New England:—Mr. Gray moved, pursuant to notice, That the Petition from certain Inhabitants of New England, relative to Returning Officer, New England, presented by him on the 4th May, be printed.
- Question put and passed.
- Ordered to be printed.
10. Motion withdrawn:—Mr. Lucas withdrew the motion standing in his name, No. 7 on the Notice Paper for to-day.
11. Thomas George Rusden, Esquire:—Mr. Gray moved, pursuant to notice, That the Petition of Thomas George Rusden, Esquire, against the decision of the Election Committee in the case of the Petition against the Return of James Hart, Esquire, at the late General Election, as Representative for the District of New England, be now taken into consideration.
- Debate ensued.
- Question put and negatived.
12. Postponements:—
- (1.) The second reading of the District Courts Act Amendment Bill postponed, on motion of Mr. Garrett, until Friday next.
- (2.) The second reading of the Capital Punishments Abolition Bill postponed, on motion of Mr. Parkes, until this day week.
- (3.) The second reading of the Law of Primogeniture Abolition Bill postponed, on motion of Dr. Lang, until this day week.
- (4.) The second reading of the Inquests concerning Fires Bill postponed, on motion of Mr. Hart, until this day week.
13. Sydney Council Debentures Bill:—On motion of Mr. Faucett, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill.

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 9 MAY, 1860. A.M.

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

14. Postponements:—The Orders of the Day, Nos. 6 to 13 inclusive, postponed, on motion of Mr. Robertson, until Friday next.

15. Mount Keira Tramroad Bill, on motion of Mr. Garrett, read a third time, and *passed*.  
Mr. Garrett then moved, That the Title of this Bill be "*An Act to authorize the completion of a Tramroad from the Mount Keira Coal Mines to Wollongong Harbour.*"  
Question put and passed.  
Whereupon, Mr. Garrett moved, That this Bill be carried to the Legislative Council, with the following Message:—  
MR. PRESIDENT,  
The Legislative Assembly having this day passed a Bill, intituled "*An Act to authorize the completion of a Tramroad from the Mount Keira Coal Mines to Wollongong Harbour,*" presents the same to the Legislative Council for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon.  
*Legislative Assembly Chamber,*  
Sydney, 9th May, 1860. Speaker.  
Question put and passed.
16. Postponements:—The 15th and 16th Orders of the Day postponed, on motion of Mr. Robertson, until Friday next.
17. Bank Statements and Abstracts Regulation Bill, on motion of Mr. Parkes, read a third time, and *passed*.  
Mr. Parkes then moved, That the Title of this Bill be "*An Act to regulate the making of Bank Weekly Statements, and the publication of Bank Abstracts.*"  
Question put and passed.  
Whereupon, Mr. Parkes moved, That this Bill be carried to the Legislative Council, with the following Message:—  
MR. PRESIDENT,  
The Legislative Assembly having this day passed a Bill, intituled "*An Act to regulate the making of Bank Weekly Statements, and the publication of Bank Abstracts,*" presents the same to the Legislative Council for its concurrence.  
*Legislative Assembly Chamber,*  
Sydney, 9th May, 1860. Speaker.  
Question put and passed.
18. Official Salaries Alteration Bill, on motion of Mr. Rotton, read a third time, and *passed*.  
Mr. Rotton then moved, That the Title of this Bill be "*An Act to alter and amend the Law relating to the Salaries of certain Public Officers.*"  
Question put and passed.  
Whereupon, Mr. Rotton moved, That this Bill be carried to the Legislative Council, with the following Message:—  
MR. PRESIDENT,  
The Legislative Assembly having this day passed a Bill, intituled "*An Act to alter and amend the Law relating to the Salaries of certain Public Officers,*" presents the same to the Legislative Council for its concurrence.  
*Legislative Assembly Chamber,*  
Sydney, 9th May, 1860. Speaker.  
Question put and passed.
19. Postponements:—Mr. Robertson postponed the Orders of the Day, Nos. 19 and 20, until Friday next.
20. Hawkesbury Benevolent Society's Act Amendment Bill, on motion of Mr. Parkes, read a third time, and *passed*.  
Mr. Parkes then moved, That the Title of this Bill be "*An Act to amend the Hawkesbury Benevolent Society's Act of Incorporation.*"  
Question put and passed.  
Whereupon, Mr. Parkes moved, That this Bill be carried to the Legislative Council, with the following Message:—  
MR. PRESIDENT,  
The Legislative Assembly having this day passed a Bill, intituled "*An Act to amend the Hawkesbury Benevolent Society's Act of Incorporation,*" presents the same to the Legislative Council for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon.  
*Legislative Assembly Chamber,*  
Sydney, 9th May, 1860. Speaker.  
Question put and passed.
21. Abattoir Road Bill, on motion of Mr. Arnold, read a third time, and *passed*.  
Mr. Arnold then moved, That the Title of this Bill be "*An Act to facilitate the communication between the Abattoirs and Sydney.*"  
Question put and passed.  
Whereupon, Mr. Arnold moved, That this Bill be carried to the Legislative Council, with the following Message:—  
MR. PRESIDENT,  
The Legislative Assembly having this day passed a Bill, intituled "*An Act to facilitate the communication between the Abattoirs and Sydney,*" presents the same to the Legislative Council for its concurrence.  
*Legislative Assembly Chamber,*  
Sydney, 9th May, 1860. Speaker.  
Question put and passed.
- The House adjourned at a quarter before One o'clock A.M., until Three o'clock P.M., this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, MAY 9.

*Contingent Notices of Motion :—*

1. MR. WILSON to move (*upon the motion being made for the Resumption of the Committee of Ways and Means*),—That this House do now resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £1,000, for the erection of an Experimental Quartz Crushing Machine at the Royal Mint.
2. MR. PARKES to move (*on the motion being made for the Resumption of the Committee of Supply*),—
  - (1.) That so much of the Resolution passed by this House on the 4th instant, as adopted the Resolution of the Committee of Supply "That there be granted to Her Majesty a sum not exceeding £10,000, to defray the salaries and contingencies of the "Department of Lands for the year 1860," be now rescinded.
  - (2.) That it be an instruction to the Committee of Supply to re-consider the Estimate for the salaries and contingencies of the Department of Lands in connection with the Schedule of particulars of the reorganization of this Department.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Ways and Means ; Resumption of the Committee.
2. Supply ; Resumption of the Committee.

*Questions :—*

1. MR. WILD to ask THE SECRETARY FOR PUBLIC WORKS,—Whether Tenders have yet been invited for the re-construction of the Bridge at Picton ?
2. MR. WILD to ask THE SECRETARY FOR PUBLIC WORKS,—Whether it is the intention of the Government to establish an Electric Telegraph Office at Camden ?
3. MR. PARKES to ask THE SECRETARY FOR LANDS,—
  - (1.) When the Government will be prepared to lay upon the Table of this House, the Land Bill and other measures promised in the explanatory speech of the Premier on first meeting Parliament after his acceptance of office ?
  - (2.) What other Bills, besides the Land Bill, are intended to be laid upon the Table ?
  - (3.) Whether, if it be the intention of Government to introduce during next Session any Bill to impose new taxes, or to revise the existing tariff, they will explain, before the prorogation of this House, the principles on which any such measure will be based ?

THURSDAY, MAY 10.

*Question :—*

1. MR. PARKES to ask THE SECRETARY FOR LANDS,—Whether the Government are prepared to inform this House] at what date after the prorogation Parliament will be called together to proceed with this business of the ordinary Session of the year ?

FRIDAY, MAY 11.

## OTHER BUSINESS—ORDER OF THE DAY :—

1. Railway Works ; Resumption of the Committee to take evidence on.

## NOTICES OF MOTION :—

1. MR. HODGSON to move,—
  - (1.) That the Report of the Select Committee appointed to inquire into, and report upon, the case of Mr. David Morris and others, which was laid upon the Table of this House on 3rd May, be now adopted.
  - (2.) That an Address be presented to the Governor General, transmitting a Copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
2. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return, in a tabular form, shewing the names of all persons who have been concerned in the sale, measurement, or management, of Crown Lands, since the passing of the Lands' Sale Act, 5 and 6 Victoria, Cap. 36, who have become purchasers of Crown Lands ; the respective offices held by them ; date of sale ; quantity purchased ; whether town, suburban, or country lots ; the rate paid per acre ; whether purchased by auction, or selected after sale ; and lastly, the total amount of land so alienated, and the sum realized from the sales.
3. MR. WINDEYER to move,—
  - (1.) That the Report of the Select Committee on the Sydney Grammar School be now adopted.
  - (2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.

4. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
5. MR. SCOTT to move, That in consequence of the vast Immigration expected to take place next Spring to the Gold Fields of this Colony, it would, in the opinion of this House, be inexpedient for any adjournment to take place before a short Act has been passed to facilitate the Sale of Public Lands by free selection.
6. MR. FAUCETT to move, That the second reading of the Common Law Procedure Act Extension Bill, which lapsed by the House being counted out on Friday last, stand an Order of the Day for Tuesday next.

ORDERS OF THE DAY :—

1. Chinese Immigration Regulation Bill ; second reading.
2. Members of Council Qualification Bill ; second reading.
3. District Courts Act Amendment Bill ; second reading.
4. Supreme Court Verdicts and Judgments Bill ; second reading.
5. Commissioner at Newcastle Appointment Bill ; second reading.
6. Enforcement of Claims against the Crown Bill ; second reading.
7. Seamen's Engagement Amendment Bill ; consideration in Committee of Legislative Council's Amendments.
8. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
9. Moreton Bay Immigration and Land Company's Act Amendment Bill ; second reading.
10. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
11. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
12. New Trials Bill ; second reading.
13. Affiliated Colleges Act Amendment Bill ; second reading.
14. Necropolis Act Extension Bill ; to be further considered in Committee.
15. Funds for Experimental Quartz Crushing Machine ; consideration in Committee of Address for.

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TUESDAY, MAY 15.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
2. MR. CUMMINGS to move,—
  - (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
  - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.

ORDERS OF THE DAY :—

1. Public Lands Bill ; second reading.
2. Land Tax Bill ; second reading.
3. Capital Punishments Abolition Bill ; second reading.
4. Law of Primogeniture Abolition Bill ; second reading.
5. Inquests concerning Fires Bill ; second reading.
6. Sydney Council Debentures Bill ; to be further considered in Committee.

T. A. MURRAY,  
Speaker.



No. 93.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

WEDNESDAY, 9 MAY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Paper:—Mr. Robertson laid upon the Table a letter, dated May 1, 1860, from Commissioner Cloete, in charge of the Southern Gold Fields, to the Honorable the Secretary for Lands, relative to the Kiantra Gold Fields.  
 Ordered to be printed.
2. Postponement:—The Resumption of the Committee of Ways and Means postponed, on motion of Mr. Weekes, until to-morrow.
3. Papers:—Mr. Weekes laid upon the Table the following Papers:—
  - (1.) Accounts Current, dated, respectively, 4 April, 1860:—
    1. Of Revenue and Expenditure, from 1 January to 31 December, 1859.
    2. Of Estimated Revenue and Expenditure, carried on to 31 December, 1860.
  - (2.) Accounts Current, dated, respectively, 9 May, 1860:—
    1. Of Revenue and Expenditure, from 1 January to 31 December, 1859.
    2. Of Estimated Revenue and Expenditure, carried on to 31 December, 1860.
 Ordered to be printed.
4. Supply:—On the Order of the Day being read for the Resumption of the Committee, Mr. Weekes moved, "That" the Speaker do now leave the Chair.  
 Mr. Parkes moved, pursuant to *Contingent Notice*, That the Question be amended by the omission of all the words following the word "That," with a view to the insertion in their place of the words—"so much of the Resolution passed by this House on the 4th instant, as adopted the Resolution of the Committee of Supply 'That there be granted to Her Majesty a sum not exceeding £10,000, to defray the salaries and 'contingencies of the Department of Lands for the year 1860,' be now rescinded."  
 "(2.) That it be an instruction to the Committee of Supply to re-consider the Estimate for the salaries and contingencies of the Department of Lands in connexion with the Schedule of particulars of the reorganization of this Department."  
 Debate ensued.
5. Assent to Bill:—The following Message from His Excellency the Governor General received and read:—
 

W. DENISON,  
*Governor General.* *Message No. 36.*

A Bill, intitled "*An Act to regulate for a limited time the Exportation of Gunpowder and Warlike Stores from the Colony of New South Wales*," as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,*  
*Sydney, 9th May, 1860.*
6. Supply:—The Debate on Mr. Parkes' proposed amendment on Mr. Weekes' motion, "That the Speaker do now leave the Chair," (interrupted by the foregoing Message,) resumed.  
 Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.  
 Question,—(1.) That so much of the Resolution passed by this House on the 4th instant, as adopted the Resolution of the Committee of Supply, "That there be granted to Her Majesty a sum not exceeding £10,000, to defray the salaries and contingencies of the Department of Lands for the year 1860," be now rescinded.  
 (2.) That it be an instruction to the Committee of Supply to re-consider the Estimate for the salaries and contingencies of the Department of Lands in connexion with the Schedule of particulars of the reorganization of this Department,—put and passed.  
 Mr. Weekes then moved, That this House do now resolve itself into a Committee of Supply.  
 Question put and passed.

Whereupon

Whereupon the Speaker left the Chair, and the House resolved itself into the said Committee.

The Chairman reported the following Point of Order :—

The Committee having under re-consideration the Estimate for the salaries and contingencies of the Department of Lands, in connexion with the Schedule of particulars of the reorganization of this Department (laid on the Table of the House and ordered to be printed on the 3rd instant),—and certain amendments having been proposed in the said Schedule,—a reference had been made to the Chairman as to the power of the Committee to deal with the Schedule, on the ground that it had not been sent down to the House with a Message from the Crown ;—upon which the Chairman had given as his opinion that the Committee had such power, under the special instruction given to them by the House.

And a further question arising, as to the power of the House, under the circumstances, to instruct the Committee to consider the Schedule ;—

The Speaker stated his opinion to be,—

(1.) That the Committee, under the special instruction alluded to, had the power to consider the Schedule in connexion with the Estimate.

(2.) That, as the Estimate referred to a Schedule, without stating whether that Schedule was at the time in existence or in prospective, and as there was nothing to shew that the document before the Committee (although not laid upon the Table until long after the Estimates) was not the identical Schedule indicated in the words "as per Schedule," and, moreover, as it was not inconsistent with the Estimate except in one particular, namely, "Chief Commissioner of Crown Lands, £200,"—the reference to the Committee of the document in question was not improper, nor in contravention of the 54th section of the Constitution Act, except in the said Item of £200, which alone could not be properly entertained by the Committee, inasmuch as that Item had not, like the Estimates themselves, been proposed by a Message from the Crown.

Whereupon, on motion of Mr. Weekes, the Committee resumed.

And the Committee continuing to sit till after Midnight,—

THURSDAY, 9. MAY, 1860. A.M.

The Chairman reported, that the Premier having, in accordance with the ruling of the Speaker, as above, moved the amount mentioned in the Schedule, less the £200 excepted to, objection had been taken to this by Mr. Windeyer, on the ground that by the proposed alteration in the amount the character of the Estimate had been changed so as to render it no longer "as per Schedule."

The Speaker stated that a Minister of the Crown may move a less sum than the amount included in any Estimate, and that the Schedule, in its reduced shape, was therefore fairly before the Committee.

7. Adjournment :—Mr. Kemp moved, That this House do now adjourn until Three o'clock P.M., this day.

Debate ensued.

Question put.

The House divided.

Ayes, 16.

Mr. Windeyer,	Mr. Hay,
Mr. Parkes,	Mr. Black,
Mr. Morris,	Mr. Wisdom,
Mr. Wilson,	Mr. Byrnes,
Mr. Roberts,	Mr. Cummings,
Mr. Kemp,	Mr. Hoskins,
Mr. Forster,	Mr. Hart,
Mr. Walker,	Mr. Lucas,

} Tellers.

Noes, 12.

Mr. Rotton,	Mr. Weekes,
Mr. Arnold,	Mr. Robertson,
Mr. Piddington,	Mr. Flett,
Mr. Jamison,	Mr. Garrett,
Mr. Ryan,	
Mr. Hurley,	
Mr. Gray,	
Mr. Cooper,	

} Tellers.

The House adjourned accordingly at a quarter before One o'clock A.M., until Three o'clock P.M., this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, MAY 10.

### Contingent Notice of Motion :—

1. MR. WILSON to move (upon the motion being made for the Resumption of the Committee of Ways and Means),—That this House do now resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £1,000, for the erection of an Experimental Quartz Crushing Machine at the Royal Mint.

### GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Ways and Means; Resumption of the Committee.
2. Supply; Resumption of the Committee.

Questions :—



**Questions :—**

1. MR. PARKES to ask THE SECRETARY FOR LANDS,—Whether the Government are prepared to inform this House at what date after the prorogation Parliament will be called together to proceed with the business of the ordinary Session of the year?
2. MR. HOSKINS to ask THE COLONIAL TREASURER,—
  - (1.) Whether the Government of Victoria have entered into any arrangement with the Government of this Colony with respect to levying the Export Duty on Gold?
  - (2.) Have the Government any objection to state the nature of such arrangement?
  - (3.) Whether it is the intention of the Government to give effect to the Resolution passed by this House on the 2nd instant, with reference to this Duty?

**FRIDAY, MAY 11.****OTHER BUSINESS—ORDER OF THE DAY :—**

1. Railway Works; Resumption of the Committee to take evidence on.

**NOTICES OF MOTION :—**

1. MR. HODGSON to move,—
  - (1.) That the Report of the Select Committee appointed to inquire into, and report upon, the case of Mr. David Morris and others, which was laid upon the Table of this House on 3rd May, be now adopted.
  - (2.) That an Address be presented to the Governor General, transmitting a Copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
2. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return, in a tabular form, shewing the names of all persons who have been concerned in the sale, measurement, or management, of Crown Lands, since the passing of the Lands Sale Act, 5 and 6 Victoria, Cap. 36, who have become purchasers of Crown Lands; the respective offices held by them; date of sale; quantity purchased; whether town, suburban, or country lots; the rate paid per acre; whether purchased by auction, or selected after sale; and lastly, the total amount of land so alienated, and the sum realized from the sales.
3. MR. WINDEYER to move,—
  - (1.) That the Report of the Select Committee on the Sydney Grammar School be now adopted.
  - (2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
4. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
5. MR. SCOTT to move, That in consequence of the vast Immigration expected to take place next Spring to the Gold Fields of this Colony, it would, in the opinion of this House, be inexpedient for any adjournment to take place before a short Act has been passed to facilitate the Sale of Public Lands by free selection.
6. MR. FAUCETT to move, That the second reading of the Common Law Procedure Act Extension Bill, which lapsed by the House being counted out on Friday last, stand an Order of the Day for Tuesday next.

**ORDERS OF THE DAY :—**

1. Chinese Immigration Regulation Bill; second reading
2. Members of Council Qualification Bill; second reading.
3. District Courts Act Amendment Bill; second reading.
4. Supreme Court Verdicts and Judgments Bill; second reading.
5. Commissioner at Newcastle Appointment Bill; second reading.
6. Enforcement of Claims against the Crown Bill; second reading.
7. Seamen's Engagement Amendment Bill; consideration in Committee of Legislative Council's Amendments.
8. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
9. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
10. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
11. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
12. New Trials Bill; second reading.
13. Affiliated Colleges Act Amendment Bill; second reading.
14. Necropolis Act Extension Bill; to be further considered in Committee.
15. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.

**Question :—**

1. MR. BYRNES to ask THE HONORABLE THE PREMIER,—Is it the intention of the Government to place any sum of money upon the Supplementary Estimates for the purpose of affording remuneration to the Rev. W. B. Clarke, for valuable services rendered to the Colony, in a Geological point of view, by that gentleman?

TUESDAY,

TUESDAY, MAY 15.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. **MR. BYRNES** to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
2. **MR. CUMMINGS** to move,—
  - (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
  - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
3. **MR. PARKES** to move, That this House, having considered the Report of the Committee appointed to inquire into the Social Condition of the Working Classes of the Metropolis, resolves as follows :—
  - (1.) That a Bill to promote the alienation of the Public Lands ought to be passed with the least possible delay, and that any such measure should provide the fullest facilities for the settlement of industrious families.
  - (2.) That a revision of the entire taxation of the Colony is necessary, and that in any such revision, Revenue should be raised by the imposition of duties that would tend to foster manufacturing enterprise.
  - (3.) That the re-adjustment of the Revenue system of the Colony should include the introduction of the principles of direct taxation.
  - (4.) That a Bill should be passed to amend the law regulating the erection of dwelling-houses in the City of Sydney, so as to provide against the unhealthiness of tenements.
  - (5.) That the Government should offer awards, or take other steps, to encourage the employment of capital in the erection of improved dwellings for the working classes.
  - (6.) That a Government Health Officer ought to be appointed in the City of Sydney, having sanitary jurisdiction over other large towns.
  - (7.) That a Bill should be passed to provide for the regulation of common lodging houses.
  - (8.) That a Nautical School, separate from other educational establishments, ought to be established in the Port of Sydney, in accordance with the recommendations of the Select Committee of the late Legislative Council.
  - (9.) That it is necessary, in order to provide for the number of destitute Infant Children, that the Board of Directors should be assisted in enlarging the Asylum at Randwick.
  - (10.) That it is expedient and necessary to establish a Government Reformatory for juvenile delinquents.
  - (11.) That it is expedient that the Government should appoint Visiting Committees in all towns where prisons are established, to secure the better supervision and management of such prisons.
  - (12.) That it is necessary that more effective means should be afforded by the Legislature for the suppression of brothels and other places of evil resort.
  - (13.) That the Government should afford assistance, by which their labor would be turned to productive account, to those mechanics and laborers who are suffering severe privations from the want of employment.
  - (14.) That the foregoing Resolutions be presented by Address to His Excellency the Governor General.

## ORDERS OF THE DAY :—

1. Public Lands Bill ; second reading.
2. Land Tax Bill ; second reading.
3. Capital Punishments Abolition Bill ; second reading.
4. Law of Primogeniture Abolition Bill ; second reading.
5. Inquests concerning Fires Bill ; second reading.
6. Sydney Council Debentures Bill ; to be further considered in Committee.

WEDNESDAY, MAY 16.

## Question :—

1. **MR. TERRY** to ask THE HONORABLE THE PREMIER,—Whether the Government have any intention of proclaiming a Township on the Louisa Creek, and, if so, when ?

**T. A. MURRAY,**  
*Speaker.*

No. 94.

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

THURSDAY, 10 MAY, 1860.

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

Papers :—

- (1.) Mr. Arnold laid upon the Table a Paper headed "Gaols and Court Houses,"—  
"Revised Estimate for Alterations, Repairs, and Erecting Gaols and Court Houses,  
"in localities where District Courts are to be held."

Ordered to be printed.

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

1. Return to Address in reference to Mr. Percy Simpson, adopted, on motion of Dr. Lang, on the 3rd April, 1860.

2. Letter from Captain Zouch, Superintendent of Mounted Police and Gold Escorts, Southern Roads, to the Inspector General of Police, detailing Police arrangements in connection with the Kiandra Gold Fields.

Ordered to be printed.

2. Court of Quarter Sessions at Dubbo :—Mr. Lord presented a Petition from a large number of Inhabitants of the Town of Dubbo, of the Bogan Macquarie and Castlereagh Rivers, of the Marron Duck and Marthequi Creeks, of the Townships of Coonabarabran Mundooran and other places in the extensive Bogan Electorate, praying that Dubbo may be proclaimed a place where Quarter Sessions may be permanently held.

Petition received.

3. Postponement :—The Resumption of the Committee of Ways and Means postponed, on motion of Mr. Weekes, until Wednesday next.

4. Supply :—On motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of Supply.

And the Committee continuing to sit till after Midnight,—

FRIDAY, 11 MAY, 1860. A.M.

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

5. Sydney Municipal Elections Bill :—The Speaker reported that, shortly after the House had gone into Committee of Supply, the following Message was received from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to legalize certain Sydney Municipal Elections, and to make provision for future Elections of Aldermen and Auditors for the said City of Sydney*," returns the same to the Legislative Assembly without Amendment.

*Legislative Council Chamber,  
Sydney, 10th May, 1860.*

W. W. BURTON,  
President.

The House adjourned at a quarter after Twelve o'clock, A.M., until Three o'clock, P.M., this day.

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

FRIDAY, MAY 11.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Railway Works; Resumption of the Committee to take evidence on.

NOTICES OF MOTION :—

1. MR. HODGSON to move,—

- (1.) That the Report of the Select Committee appointed to inquire into, and report upon, the case of Mr. David Morris and others, which was laid upon the Table of this House on 3rd May, be now adopted.

- (2.) That an Address be presented to the Governor General, transmitting a Copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.

2.

2. **MR. HART** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return, in a tabular form, shewing the names of all persons who have been concerned in the sale, measurement, or management, of Crown Lands, since the passing of the Lands' Sale Act, 5 and 6 Victoria, Cap. 36; who have become purchasers of Crown Lands; the respective offices held by them; date of sale; quantity purchased; whether town, suburban, or country lots; the rate paid per acre; whether purchased by auction, or selected after sale; and lastly, the total amount of land so alienated, and the sum realized from the sales.
3. **MR. WINDEYER** to move,—
  - (1.) That the Report of the Select Committee on the Sydney Grammar School be now adopted.
  - (2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
4. **DR. LANG** to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
5. **MR. SCOTT** to move, That in consequence of the vast Immigration expected to take place next Spring to the Gold Fields of this Colony, it would, in the opinion of this House, be inexpedient for any adjournment to take place before a short Act has been passed to facilitate the Sale of Public Lands by free selection.
6. **MR. FAUCETT** to move, That the second reading of the Common Law Procedure Act Extension Bill, which lapsed by the House being counted out on Friday last, stand an Order of the Day for Tuesday next.
7. **MR. KEMP** to move, That the Petition from Mr. N. L. Kentish, presented by him on the 3rd May, be printed.

#### ORDERS OF THE DAY:—

1. Chinese Immigration Regulation Bill; second reading.
2. Members of Council Qualification Bill; second reading.
3. District Courts Act Amendment Bill; second reading.
4. Supreme Court Verdicts and Judgments Bill; second reading.
5. Commissioner at Newcastle Appointment Bill; second reading.
6. Enforcement of Claims against the Crown Bill; second reading.
7. Seamen's Engagement Amendment Bill; consideration in Committee of Legislative Council's Amendments.
8. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
9. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
10. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
11. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
12. New Trials Bill; second reading.
13. Affiliated Colleges Act Amendment Bill; second reading.
14. Necropolis Act Extension Bill; to be further considered in Committee.
15. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.

#### Question:—

1. **MR. BYRNES** to ask THE HONORABLE THE PREMIER,—Is it the intention of the Government to place any sum of money upon the Supplementary Estimates for the purpose of affording remuneration to the Rev. W. B. Clarke, for valuable services rendered to the Colony, in a Geological point of view, by that gentleman?

TUESDAY, MAY 15.

#### OTHER BUSINESS—NOTICES OF MOTION:—

1. **MR. BYRNES** to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000; to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
2. **MR. CUMMINGS** to move,—
  - (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
  - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.

3. Mr. PARKES to move, That this House, having considered the Report of the Committee appointed to inquire into the Social Condition of the Working Classes of the Metropolis, resolves as follows :—
- (1.) That a Bill to promote the alienation of the Public Lands ought to be passed with the least possible delay, and that any such measure should provide the fullest facilities for the settlement of industrious families.
  - (2.) That a revision of the entire taxation of the Colony is necessary, and that in any such revision, Revenue should be raised by the imposition of duties that would tend to foster manufacturing enterprise.
  - (3.) That the re-adjustment of the Revenue system of the Colony should include the introduction of the principles of direct taxation.
  - (4.) That a Bill should be passed to amend the law regulating the erection of dwelling-houses in the City of Sydney, so as to provide against the unhealthiness of tenements.
  - (5.) That the Government should offer awards, or take other steps, to encourage the employment of capital in the erection of improved dwellings for the working classes.
  - (6.) That a Government Health Officer ought to be appointed in the City of Sydney, having sanitary jurisdiction over other large towns.
  - (7.) That a Bill should be passed to provide for the regulation of common lodging houses.
  - (8.) That a Nautical School, separate from other educational establishments, ought to be established in the Port of Sydney, in accordance with the recommendations of the Select Committee of the late Legislative Council.
  - (9.) That it is necessary, in order to provide for the number of destitute Infant Children, that the Board of Directors should be assisted in enlarging the Asylum at Randwick.
  - (10.) That it is expedient and necessary to establish a Government Reformatory for juvenile delinquents.
  - (11.) That it is expedient that the Government should appoint Visiting Committees in all towns where prisons are established, to secure the better supervision and management of such prisons.
  - (12.) That it is necessary that more effective means should be afforded by the Legislature for the suppression of brothels and other places of evil resort.
  - (13.) That the Government should afford assistance, by which their labor would be turned to productive account, to those mechanics and laborers who are suffering severe privations from the want of employment.
  - (14.) That the foregoing Resolutions be presented by Address to His Excellency the Governor General.
4. Mr. LORD to move, That the Petition presented by him on the 10th May, from certain Inhabitants of Dubbo and other places, praying the establishment of a Court of Quarter Sessions at Dubbo, be printed.

ORDERS OF THE DAY :—

1. Public Lands Bill ; second reading.
2. Land Tax Bill ; second reading.
3. Capital Punishments Abolition Bill ; second reading.
4. Law of Primogeniture Abolition Bill ; second reading.
5. Inquests concerning Fires Bill ; second reading.
6. Sydney Council Debentures Bill ; to be further considered in Committee.

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WEDNESDAY, MAY 16.

Contingent Notice of Motion :—

1. Mr. WILSON to move (*upon the motion being made for the Resumption of the Committee of Ways and Means*),—That this House do now resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £1,000, for the erection of an Experimental Quartz Crushing Machine at the Royal Mint.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Ways and Means ; Resumption of the Committee.
2. Supply ; Resumption of the Committee.

Question :—

1. Mr. TERRY to ask THE HONORABLE THE PREMIER,—Whether the Government have any intention of proclaiming a Township on the Louisa Creek, and, if so, when ?

T. A. MURRAY,  
Speaker.



No. 95.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

FRIDAY, 11 MAY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Division of Public Debt between Queensland and New South Wales:—The following Message from His Excellency the Governor General received and read:—

W. DENISON,  
*Governor General.*

*Message No. 37.*

The Governor General calls the attention of the Legislative Assembly to the following Paragraphs in the Despatch of the Secretary of State, No. 11, dated 18th August, 1859, a copy of which was laid on the Table of the House on the 11th October, 1859:—

"It remains that I should inform you of what has passed, and of the intention of Her Majesty's Government respecting the division of the Public Debt between the two Colonies.

"In your Despatch No. 6, of the 7th January, 1858, you inclosed a Bill for effecting this division which had been introduced into the Legislature, but not proceeded with, and you informed my Predecessor, at the same time, that you were of opinion, that it would be in every way better that Her Majesty's Government should at once take upon itself the decision of the question.

"This proposal on your part has undergone much consideration, but on the whole, Her Majesty's Government have judged it better to decline acting upon it at least for the present; they have felt that the business of dividing the Debt was one of a strictly domestic nature, belonging, at least in the first instance, to the New South Wales Legislature, conjointly with that about to be established in Queensland, and they were of opinion that it could not justly be inferred that the New South Wales Legislature would absolutely refuse to execute it, merely from the circumstance that a Bill introduced for the purpose had fallen through, perhaps from temporary political circumstances only. At all events they consider it their duty to appeal more distinctly and more fully to that Legislature, inviting it to co-operate in a task which, when the separation of the Colonies is legally accomplished, will become unavoidable. Should the Colonial Legislatures after all decline, there will then be a strong reason made out for Parliamentary interference.

"I have to instruct you, therefore, to call the attention of the Legislature to the subject as early as possible. The Bill introduced by Mr. Cowper will furnish materials. It appears to me the measure might be made more practically convenient by giving the Commissioners somewhat greater latitude as to the mode of estimating the liabilities. The plan of appointing a Commission from each Colony, with power to name an Arbitrator seems to me reasonable. But these are details on which the Legislatures of the two Colonies are best fitted to decide.

"In the meantime (as according to this project the separation must take place by publication of the Instruments, and the Legislature of the New Colony must be convoked before the division of the Debt can be effected) there can be no serious difficulty in a temporary arrangement for the re-partition of the Interest of the Debt, during the short period which may elapse between that separation and the passing of the necessary Law, whether that be ultimately done by the Colonial Legislature or by Parliament."

In this Despatch the Governor General was directed to call the attention of the Legislature to the subject of the division of the Debt as early as possible, but as the Legislative Council and Legislative Assembly of Queensland must necessarily sanction, by enactment, all the conditions of any agreement which may be entered into between the Government of the two Colonies, His Excellency did not consider it necessary to make this reference until all the arrangements for summoning the Legislature of Queensland had been completed.

These, however, having now been perfected, and the Legislature of the New Colony having been summoned to meet on the 22nd of the present month, the Governor General invites the Legislative Assembly to consider the question, with a view to the determination of the principles upon which the measure for the division of the Debt should be based.

The

The Governor General has received from the Governor of Queensland an assurance that the assent of the Government of that Colony will be given to any measure based upon the principles affirmed by former Governments of New South Wales, and as these appear to have received the approval generally of Her Majesty's Government, it seems to the Governor General, that they would, if adopted by the Legislature, lead to a speedy settlement of the question.

*Government House,  
11th May, 1860.*

Ordered to be printed.

2. Town Hall Site Exchange Bill:—Mr. Faucett, as Chairman, brought up the Report from, and laid upon the Table the Proceedings of, and Minutes of Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on the 4th May, together with the Bill, as *amended* in the Committee.

Ordered to be printed.

Mr. Faucett then moved, That the second reading of this Bill stand an Order of the Day for Friday next.

Question put and passed.

3. Postponement:—Mr. Hodgson (by consent) postponed the motion standing in his name No. 1 on the Notice Paper for to-day, until this day week.

4. Railway Works:—On the Order of the Day being read, for the resumption of the Committee to take Evidence on Railway Works,—

Mr. Hart moved, That this Order of the Day be discharged from the Paper.

Debate ensued.

Question put.

The House divided.

Ayes, 6.

Mr. Terry,  
Mr. Asher,  
Mr. Hoskins,  
Mr. Hodgson,  
Mr. Byrnes,  
Mr. Hart. } Tellers.

Noes, 24.\*

Mr. Robertson, Mr. Garrett,  
Mr. Arnold, Mr. Rotton,  
Mr. Weckes, Mr. Parnell,  
Mr. Russell, Mr. Samuel,  
Mr. Lucas, Mr. Macleay,  
Mr. Hamilton, Mr. Black,  
Mr. Broughton, Mr. Forster,  
Mr. Wisdom, Rev. Dr. Lang,  
Mr. Wilson, Mr. Wild,  
Mr. McArthur, Mr. Faucett, } Tellers.  
Mr. Gordon, Mr. Clements.  
Mr. Parkes,

\* So in Tellers' List.

Whereupon, the Speaker left the Chair, and the House resolved itself into the said Committee.

The Chairman reported progress, and obtained leave to sit again on Friday next,—to take precedence of all other Business on the Paper for that day.

(*Evidence at Bar.*)—Mr. Parkes then, with the concurrence of the House, moved, without previous notice, That the Evidence taken at the Bar this day, in Committee of the Whole, on Railway Works, be printed.

Question put and passed.

Ordered to be printed.

5. Postponements:—

(1.) Mr. Terry postponed the motion standing in the name of Mr. Hart, No. 2 on the Notice Paper for to-day, until Tuesday next.

(2.) Mr. Parkes postponed the motion standing in the name of Mr. Windeyer, No. 3 on the Notice Paper for to-day, until this day week.

(3.) Mr. Parkes postponed the motion standing in the name of Dr. Lang, No. 4 on the Notice Paper for to-day, until Tuesday next.

(4.) Mr. Scott postponed the motion standing in his name, No. 5 on the Notice Paper for to-day, until Friday next.

(5.) Mr. Kemp postponed the motion standing in the name of Mr. Faucett, No. 6 on the Notice Paper for to-day, until Tuesday next.

6. Mr. N. L. Kentish:—Mr. Kemp moved, pursuant to notice, That the Petition from Mr. N. L. Kentish, presented by him on the 3rd May, be printed.

Question put and passed.

Ordered to be printed.

7. Chinese Immigration Regulation Bill:—On the Order of the Day being read for the second reading of this Bill,—

Mr. Rotton moved, without previous notice, That, as the Bill contains Clauses imposing penalties, it cannot be entertained, as it has not been originated in a Committee of the whole House.

Debate ensued.

The Speaker having reiterated the opinion expressed by him on the motion for leave to introduce this Bill (*See Votes and Proceedings of present Session, No. 88, Entry 11*), namely, that any Bill having for its object the levying of a tax or penalty, to be paid to the General Revenue of the Colony, should originate in a Committee of the whole House;—

Question put.

The



The House divided.

Ayes, 19.

Mr. Ryan,	Mr. Black,	} Tellers.
Mr. Rotton,	Mr. Clements,	
Rev. Dr. Lang,	Mr. Gray,	
Mr. Hay,	Mr. Wilson,	
Mr. Laidlaw,	Mr. Byrnes,	
Mr. Faucett,	Mr. Jenkins,	
Mr. Scott,	Mr. Russell,	
Mr. Hamilton,	Mr. Blake,	
Mr. Nott,	Mr. Dickson,	
Mr. Piddington,		

Noes, 17.

Mr. Robertson,	Mr. Pemell,	} Tellers.
Mr. Arnold,	Mr. Roberts,	
Mr. Weekes,	Mr. Lucas,	
Mr. Wisdom,	Mr. Broughton,	
Mr. Garrett,	Mr. Forster,	
Mr. Cummings,	Mr. Hoskins,	
Mr. Parkes,	Mr. Lyons,	
Mr. Windeyer,		
Mr. Terry,		
Mr. Kemp,		

Mr. Rotton then moved, That the Order of the Day for the second reading of this Bill be discharged from the Paper:

Debate ensued.

(*Interruption—Privilege.*)

Mr. Kemp having drawn the attention of the Speaker to the presence of a tumultuous assemblage in the front of the Parliamentary Buildings, uttering cheers and groans expressive of approval or disapproval of certain Proceedings, or Members, of this House,—

The Speaker, calling upon the Sergeant-at-Arms, inquired of that Officer whether the crowd were within the precincts of the House?—and, being answered in the negative, inquired whether the parties were in the street?—which question being answered in the affirmative,—the Speaker remarked that, as they were in the public street, it was not in his power to interfere.

And a discussion arising,—

Mr. Martin moved, That the Metropolitan Superintendent of Police be directed to take the requisite steps to prevent any noise or disturbance in the immediate precincts of this House, such as may be calculated to interrupt its Proceedings; or interfere with it in the free exercise of its functions.

Debate ensued.

Mr. Martin's motion by leave withdrawn:

(*Debate on Main Question resumed.*)

Question put.

The House divided.

Ayes, 18.

Mr. Robertson,	Mr. McArthur,	} Tellers.
Mr. Weekes,	Mr. Flett,	
Mr. Arnold,	Mr. Hurley,	
Mr. Ryan,	Mr. Hay,	
Mr. Dickson,	Mr. Nott,	
Mr. Black,	Mr. Faucett,	
Mr. Clements,	Mr. Piddington,	
Mr. Wilson,	Mr. Blake,	
Mr. Hamilton,	Mr. Rotton,	

Noes, 13.

Mr. Kemp,	Mr. Wisdom,	} Tellers.
Mr. Terry,	Mr. Broughton,	
Mr. Forster,	Mr. Lucas,	
Mr. Wild,	Mr. Hoskins,	
Mr. Lyons,		
Mr. Martin,		
Mr. Windeyer,		
Mr. Parkes,		
Mr. Cummings,		

Mr. Rotton then moved, That the Bill be discharged from the Paper.

Question put.

The House divided.

Ayes, 18.

Mr. Arnold,	Mr. McArthur,	} Tellers.
Mr. Robertson,	Mr. Flett,	
Mr. Weekes,	Mr. Hurley,	
Mr. Byrnes,	Mr. Hay,	
Mr. Dickson,	Mr. Faucett,	
Mr. Black,	Mr. Piddington,	
Mr. Clements,	Mr. Nott,	
Mr. Wilson,	Mr. Blake,	
Mr. Hamilton,	Mr. Rotton,	

Noes, 13.

Mr. Lyons,	Mr. Broughton,	} Tellers.
Mr. Terry,	Mr. Wisdom,	
Mr. Wild,	Mr. Lucas,	
Mr. Forster,	Mr. Hoskins,	
Mr. Martin,		
Mr. Windeyer,		
Mr. Parkes,		
Mr. Kemp,		
Mr. Cummings,		

8. Members of Council Qualification Bill :—Mr. Hay moved, That this Bill be now read a second time.

Debate ensued.

Mr. Windeyer moved the previous Question.

Debate continued.

And the House continuing to sit till after Midnight,—

SATURDAY, 12 MAY, 1860. A.M.

Previous Question put,—That this Question be now put.

The House divided.

Ayes, 12.

Mr. Arnold,	Mr. Terry,	} Tellers.
Mr. Weekes,	Mr. Piddington;	
Mr. Blake,	Mr. Broughton,	
Mr. Hay,	Mr. Byrnes,	
Mr. Nott,	Mr. Lyons,	
Mr. Clements,		
Mr. Kemp,		

Noes, 14.

Mr. Robertson,	Mr. Lucas,	} Tellers.
Mr. Cummings,	Mr. Wilson,	
Mr. Windeyer,	Mr. Flett,	
Mr. Hurley,	Mr. Hoskins,	
Mr. Martin,	Mr. Forster,	
Mr. Wisdom,	Mr. Hamilton,	
Mr. Rotton,	Mr. Faucett,	

9. Postponements:—The following Orders of the Day postponed, on motion of the Members named, to the days respectively specified:—
- (1.) District Courts Act Amendment Bill, second reading, Mr. Martin, Friday next.
  - (2.) Supreme Court Verdicts and Judgments Bill, second reading, Mr. Faucett, Tuesday next.
  - (3.) Commissioner at Newcastle Appointment Bill, second reading, Mr. Piddington, Tuesday next.
  - (4.) Enforcement of Claims against the Crown Bill, second reading, Mr. Forster, Friday next.
  - (5.) Seamen's Engagement Amendment Bill, consideration in Committee of Legislative Council's Amendments, Mr. Forster, Friday next.
  - (6.) Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam, Mr. Lucas, Tuesday next.
  - (7.) Moreton Bay Immigration and Land Company's Act Amendment Bill, second reading, Mr. Byrnes, Tuesday next.
  - (8.) Consideration in Committee of Address for compensation to Mrs. Frances De Courcy, Mr. Byrnes, Friday next.
  - (9.) Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department, Mr. Lyons, Tuesday next.
  - (10.) New Trials Bill, second reading, Mr. Robertson, Tuesday next.
  - (11.) Affiliated Colleges Act Amendment Bill, second reading, Mr. Windeyer, Friday next.
  - (12.) Necropolis Act Extension Bill, to be further considered in Committee, Mr. Byrnes, Friday next.
  - (13.) Funds for Experimental Quartz Crushing Machine, consideration in Committee of Address for, Mr. Wilson, Thursday next.
- The House adjourned at twenty minutes after Twelve o'clock A.M., until Three o'clock P.M., on Tuesday next.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, MAY 15.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
2. MR. CUMMINGS to move,—
  - (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
  - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
3. MR. PARKES to move, That this House, having considered the Report of the Committee appointed to inquire into the Social Condition of the Working Classes of the Metropolis, resolves as follows:—
  - (1.) That a Bill to promote the alienation of the Public Lands ought to be passed with the least possible delay, and that any such measure should provide the fullest facilities for the settlement of industrious families.
  - (2.) That a revision of the entire taxation of the Colony is necessary, and that in any such revision, Revenue should be raised by the imposition of duties that would tend to foster manufacturing enterprise.
  - (3.) That the re-adjustment of the Revenue system of the Colony should include the introduction of the principles of direct taxation.
  - (4.) That a Bill should be passed to amend the law regulating the erection of dwelling-houses in the City of Sydney, so as to provide against the unhealthiness of tenements.
  - (5.) That the Government should offer awards, or take other steps, to encourage the employment of capital in the erection of improved dwellings for the working classes.
  - (6.) That a Government Health Officer ought to be appointed in the City of Sydney, having sanitary jurisdiction over other large towns.
  - (7.) That a Bill should be passed to provide for the regulation of common lodging-houses.

(8.)

- (8.) That a Nautical School, separate from other educational establishments, ought to be established in the Port of Sydney, in accordance with the recommendations of the Select Committee of the late Legislative Council.
- (9.) That it is necessary, in order to provide for the number of destitute Infant Children, that the Board of Directors should be assisted in enlarging the Asylum at Randwick.
- (10.) That it is expedient and necessary to establish a Government Reformatory for juvenile delinquents.
- (11.) That it is expedient that the Government should appoint Visiting Committees in all towns where prisons are established, to secure the better supervision and management of such prisons.
- (12.) That it is necessary that more effective means should be afforded by the Legislature for the suppression of brothels and other places of evil resort.
- (13.) That the Government should afford assistance, by which their labor would be turned to productive account, to those mechanics and laborers who are suffering severe privations from the want of employment.
- (14.) That the foregoing Resolutions be presented by Address to His Excellency the Governor General.
4. MR. LORD to move, That the Petition presented by him on the 10th May, from certain Inhabitants of Dubbo and other places, praying the establishment of a Court of Quarter Sessions at Dubbo, be printed.
5. MR. FAUCETT to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, requesting His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the year 1860, the sum of £200, to be paid to the Jewish Minister, resident in Sydney, in aid of the Stipend received by him from the Members of that Denomination.
6. MR. JAMISON to move, That the 57th Standing Order be suspended, with a view to the presentation of a Petition for leave to bring in a Bill to confer certain powers on the Penrith Nepean Bridge Company.
7. MR. PARKES to move, That the Analytical Return of the Expenditure for the Civil Service, ordered by this House on the 27th September last, be extended to include the year 1859 as well as 1858.
8. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return, in a tabular form, shewing the names of all persons who have been concerned in the sale, measurement, or management, of Crown Lands, since the passing of the Lands' Sale Act, 5 and 6 Victoria, Cap. 36, who have become purchasers of Crown Lands; the respective offices held by them; date of sale; quantity purchased; whether town, suburban, or country lots; the rate paid per acre; whether purchased by auction, or selected after sale; and lastly, the total amount of land so alienated, and the sum realized from the sales.
9. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
10. MR. FAUCETT to move, That the second reading of the Common Law Procedure Act Extension Bill, which lapsed by the House being counted out on Friday last, stand an Order of the Day for Tuesday next.

#### ORDERS OF THE DAY :—

1. Public Lands Bill; second reading.
2. Land Tax Bill; second reading.
3. Capital Punishments Abolition Bill; second reading.
4. Law of Primogeniture Abolition Bill; second reading.
5. Inquests concerning Fires Bill; second reading.
6. Sydney Council Debentures Bill; to be further considered in Committee.
7. Supreme Court Verdicts and Judgments Bill; second reading.
8. Commissioner at Newcastle Appointment Bill; second reading.
9. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
10. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
11. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
12. New Trials Bill; second reading.

#### Questions :—

1. MR. ASHER to ask THE HONORABLE THE PREMIER,—
  - (1.) Whether the Government intend making any proper inquiry with reference to the charge made by W. A. Macdonough, Esq., on the 13th February last, against John Roper, J.P., of Albury?
  - (2.) Is the simple report of one Magistrate, Mr. Atkins, sufficient to answer the ends of Justice?

- (3.) Are the Government aware that Mr. Atkins is a personal friend of John Roper's?  
 (4.) Do the Government consent to a report from one Magistrate when the Bench of Magistrates are appealed to?
2. MR. ASHER to ask THE HONORABLE THE PREMIER,—When the Government intend to comply with an Order of this House, made the 28th February, to lay upon the Table of this House all Correspondence, Memorials, &c., with reference to the Town Common at Albury?

## WEDNESDAY, MAY 16.

*Contingent Notice of Motion:—*

1. MR. WILSON to move (upon the motion being made for the Resumption of the Committee of Ways and Means),—That this House do now resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £1,000, for the erection of an Experimental Quartz Crushing Machine at the Royal Mint.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Ways and Means; Resumption of the Committee.  
 2. Supply; Resumption of the Committee.

*Question:—*

1. MR. TERRY to ask THE HONORABLE THE PREMIER,—Whether the Government have any intention of proclaiming a Township on the Louisa Creek, and, if so, when?

## THURSDAY, MAY 17.

## OTHER BUSINESS—ORDER OF THE DAY:—

1. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for:

## FRIDAY, MAY 18.

## OTHER BUSINESS—ORDER OF THE DAY:—

1. Railway Works; Resumption of the Committee to take evidence on:

## NOTICES OF MOTION:—

1. MR. HODGSON to move,—  
 (1.) That the Report of the Select Committee appointed to inquire into, and report upon, the case of Mr. David Morris and others, which was laid upon the Table of this House on 3rd May, be now adopted.  
 (2.) That an Address be presented to the Governor General, transmitting a Copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
2. MR. WINDEYER to move,—  
 (1.) That the Report of the Select Committee on the Sydney Grammar School be now adopted.  
 (2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
3. MR. SCOTT to move, That in consequence of the vast Immigration expected to take place next Spring to the Gold Fields of this Colony, it would, in the opinion of this House, be inexpedient for any adjournment to take place before a short Act has been passed to facilitate the Sale of Public Lands by free selection.

## ORDERS OF THE DAY:—

1. Town Hall Site Exchange Bill; second reading.  
 2. District Courts Act Amendment Bill; second reading.  
 3. Enforcement of Claims against the Crown Bill; second reading.  
 4. Seamen's Engagement Amendment Bill; consideration in Committee of Legislative Council's Amendments.  
 5. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.  
 6. Affiliated Colleges Act Amendment Bill; second reading.  
 7. Necropolis Act Extension Bill; to be further considered in Committee.

FRIDAY,

FRIDAY, MAY 25.

OTHER BUSINESS—NOTICE OF MOTION:—

1. DR. LANG to move,—

(1.) That, in the opinion of this House, it is expedient and necessary that facilities should be afforded by the Executive for the establishment and maintenance of Grammar Schools, High Schools, or Academies, throughout the Colony, to afford a superior education to the youth of the middle classes of the community at a moderate expense, and to occupy an intermediate position between the common schools and the University.

(2.) That such facilities should be afforded on the following conditions, viz.:—

1. That wherever any portion of the inhabitants of any Town, or District, having a population of not fewer than four thousand souls, shall contribute not less than £2,000 for the establishment of a Grammar School, High School, or Academy, a sum equal to the amount contributed by the promoters of the undertaking shall be payable to the Trustees or other Managers of such Institution from the Public Treasury; provided that the buildings to be erected for such purpose shall be approved beforehand by the Educational Authorities of the Colony, and provided also that no higher amount than £5,000 shall be contributed in any instance by the Government.
2. That, provided the Educational Staff of any such Grammar School, High School, or Academy, shall comprise not fewer than four masters for the different branches of education to be taught in such school or academy; and provided that a regular *curriculum*, or course of study, extending over four years, shall be established in such Institution; and provided that there shall not be fewer than one hundred pupils or students in regular attendance, and that the school fees payable by each pupil or student shall not exceed £10 per annum, a yearly sum of £500 shall be payable to the Trustees from the Public Treasury, in the proportion of £200 to the head master, and £100 each to the other three.
3. That, provided that, during the first three years of any such Institution, the number of masters shall be smaller than four, and the number of pupils or students than one hundred, a proportionate amount of the said yearly allowance of £500, to be fixed by the Educational Authorities of the Colony shall be payable to the Trustees from the Public Treasury; but that such payment shall be discontinued at the close of the third year if the Institution shall then have fewer than four masters and one hundred pupils or students.
4. That a public examination shall be held annually, by Examiners duly appointed for the purpose, of all such pupils or students as may have completed their *curriculum* of four years; and that scholarships of from £20 to £50 a year—provided such scholarships are instituted by the Legislature, for the Grammar Schools or High Schools of the Colony generally—shall be awarded to the most deserving of such pupils or students as may be desirous of prosecuting their studies at the University.

T. A. MURRAY,  
*Speaker.*



No. 96.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

TUESDAY, 15 MAY, 1860.

1. There being only Nineteen Members present, exclusive of the Speaker, namely,—Mr. Arnold, Mr. Asher, Mr. Black, Mr. Cummings, Mr. Gordon, Mr. Hart, Mr. Hoskins, Dr. Lang, Mr. Lord, Mr. Lucas, Mr. Macleay, Mr. Oakes, Mr. Parkes, Mr. Piddington, Mr. Robertson, Mr. Weekes, Mr. Wild, Mr. Wilson, and Mr. Wisdom,—The Speaker took the Chair, and adjourned the House at half-past Three o'clock, until To-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, MAY 16.

*Contingent Notice of Motion:—*

1. MR. WILSON to move (upon the motion being made for the Resumption of the Committee of Ways and Means),—That this House do now resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £1,000, for the erection of an Experimental Quartz Crushing Machine at the Royal Mint.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Ways and Means; Resumption of the Committee.
2. Supply; Resumption of the Committee.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
2. MR. CUMMINGS to move,—
  - (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
  - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
3. MR. PARKES to move, That this House, having considered the Report of the Committee appointed to inquire into the Social Condition of the Working Classes of the Metropolis, resolves as follows:—
  - (1.) That a Bill to promote the alienation of the Public Lands ought to be passed with the least possible delay, and that any such measure should provide the fullest facilities for the settlement of industrious families.
  - (2.) That a revision of the entire taxation of the Colony is necessary, and that in any such revision, Revenue should be raised by the imposition of duties that would tend to foster manufacturing enterprise.

(3.)

- (3.) That the re-adjustment of the Revenue system of the Colony should include the introduction of the principles of direct taxation.
- (4.) That a Bill should be passed to amend the law regulating the erection of dwelling-houses in the City of Sydney, so as to provide against the unhealthiness of tenements.
- (5.) That the Government should offer awards, or take other steps, to encourage the employment of capital in the erection of improved dwellings for the working classes.
- (6.) That a Government Health Officer ought to be appointed in the City of Sydney, having sanitary jurisdiction over other large towns.
- (7.) That a Bill should be passed to provide for the regulation of common lodging-houses.
- (8.) That a Nautical School, separate from other educational establishments, ought to be established in the Port of Sydney, in accordance with the recommendations of the Select Committee of the late Legislative Council.
- (9.) That it is necessary, in order to provide for the number of destitute Infant Children, that the Board of Directors should be assisted in enlarging the Asylum at Randwick.
- (10.) That it is expedient and necessary to establish a Government Reformatory for juvenile delinquents.
- (11.) That it is expedient that the Government should appoint Visiting Committees in all towns where prisons are established, to secure the better supervision and management of such prisons.
- (12.) That it is necessary that more effective means should be afforded by the Legislature for the suppression of brothels and other places of evil resort.
- (13.) That the Government should afford assistance, by which their labor would be turned to productive account, to those mechanics and laborers who are suffering severe privations from the want of employment.
- (14.) That the foregoing Resolutions be presented by Address to His Excellency the Governor General.
4. MR. LORD to move, That the Petition presented by him on the 10th May, from certain Inhabitants of Dubbo and other places, praying the establishment of a Court of Quarter Sessions at Dubbo, be printed.
5. MR. FAUCETT to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, requesting His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the year 1860, the sum of £200, to be paid to the Jewish Minister resident in Sydney, in aid of the Stipend received by him from the Members of that Denomination.
6. MR. JAMISON to move, That the 57th Standing Order be suspended, with a view to the presentation of a Petition for leave to bring in a Bill to confer certain powers on the Penrith Nepean Bridge Company.
7. MR. PARKES to move, That the Analytical Return of the Expenditure for the Civil Service, ordered by this House on the 27th September last, be extended to include the year 1860 as well as 1858.
8. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return, in a tabular form, shewing the names of all persons who have been concerned in the sale, measurement, or management, of Crown Lands, since the passing of the Lands' Sale Act, 5 and 6 Victoria, Cap. 36, who have become purchasers of Crown Lands; the respective offices held by them; date of sale; quantity purchased; whether town, suburban, or country lots; the rate paid per acre; whether purchased by auction, or selected after sale; and lastly, the total amount of land so alienated, and the sum realized from the sales.
9. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
10. MR. FAUCETT to move, That the second reading of the Common Law Procedure Act Extension Bill, which lapsed by the House being counted out on Friday last, stand an Order of the Day for Tuesday next.

#### ORDERS OF THE DAY:—

1. Public Lands Bill; second reading.
2. Land Tax Bill; second reading.
3. Capital Punishments Abolition Bill; second reading.
4. Law of Primogeniture Abolition Bill; second reading.
5. Inquests concerning Fires Bill; second reading.
6. Sydney Council Debentures Bill; to be further considered in Committee.
7. Supreme Court Verdicts and Judgments Bill; second reading.
8. Commissioner at Newcastle Appointment Bill; second reading.
9. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
10. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
11. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
12. New Trials Bill; second reading.

Questions:—



## Questions :—

1. MR. TERRY *to ask* THE HONORABLE THE PREMIER,—Whether the Government have any intention of proclaiming a Township on the Louisa Creek, and, if so, when?
2. MR. ASHER *to ask* THE HONORABLE THE PREMIER,—
  - (1.) Whether the Government intend making any proper inquiry with reference to the charge made by W. A. Macdonough, Esq., on the 13th February last, against John Roper, J.P., of Albury?
  - (2.) Is the simple report of one Magistrate, Mr. Atkins, sufficient to answer the ends of Justice?
  - (3.) Are the Government aware that Mr. Atkins is a personal friend of John Roper's?
  - (4.) Do the Government consent to a report from one Magistrate when the Bench of Magistrates are appealed to?
3. MR. ASHER *to ask* THE HONORABLE THE PREMIER,—When the Government intend to comply with an Order of this House, made the 28th February, to lay upon the Table of this House all Correspondence, Memorials, &c., with reference to the Town Common at Albury?

## THURSDAY, MAY 17.

## OTHER BUSINESS—ORDER OF THE DAY :—

1. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.

## FRIDAY, MAY 18.

## OTHER BUSINESS—ORDER OF THE DAY :—

1. Railway Works; Resumption of the Committee to take evidence on.

## NOTICES OF MOTION :—

1. MR. HODGSON *to move*,—
  - (1.) That the Report of the Select Committee appointed to inquire into, and report upon, the case of Mr. David Morris and others, which was laid upon the Table of this House on 3rd May, be now adopted.
  - (2.) That an Address be presented to the Governor General, transmitting a Copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
2. MR. WINDEYER *to move*,—
  - (1.) That the Report of the Select Committee on the Sydney Grammar School be now adopted.
  - (2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
3. MR. SCOTT *to move*, That in consequence of the vast Immigration expected to take place next Spring to the Gold Fields of this Colony, it would, in the opinion of this House, be inexpedient for any adjournment to take place before a short Act has been passed to facilitate the Sale of Public Lands by free selection.

## ORDERS OF THE DAY :—

1. Town Hall Site Exchange Bill; second reading.
2. District Courts Act Amendment Bill; second reading.
3. Enforcement of Claims against the Crown Bill; second reading.
4. Seamen's Engagement Amendment Bill; consideration in Committee of Legislative Council's Amendments.
5. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
6. Affiliated Colleges Act Amendment Bill; second reading.
7. Necropolis Act Extension Bill; to be further considered in Committee.

## FRIDAY, MAY 25.

## OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG *to move*,—
  - (1.) That, in the opinion of this House, it is expedient and necessary that facilities should be afforded by the Executive for the establishment and maintenance of Grammar Schools, High Schools, or Academics, throughout the Colony, to afford a superior education to the youth of the middle classes of the community at a moderate expense, and to occupy an intermediate position between the common schools and the University.
  - (2.) That such facilities should be afforded on the following conditions, viz :—
    1. That wherever any portion of the inhabitants of any Town, or District, having a population of not fewer than four thousand souls, shall contribute not less than £2,000 for the establishment of a Grammar School, High School, or Academy, a sum equal to the amount contributed by the promoters of the undertaking

- undertaking shall be payable to the Trustees or other Managers of such Institution from the Public Treasury; provided that the buildings to be erected for such purpose shall be approved beforehand by the Educational Authorities of the Colony, and provided also that no higher amount than £5,000 shall be contributed in any instance by the Government.
2. That, provided the Educational Staff of any such Grammar School, High School, or Academy, shall comprise not fewer than four masters for the different branches of education to be taught in such school or academy; and provided that a regular *curriculum* or course of study, extending over four years, shall be established in such Institution; and provided that there shall not be fewer than one hundred pupils or students in regular attendance; and that the school fees payable by each pupil or student shall not exceed £10 per annum, a yearly sum of £500 shall be payable to the Trustees from the Public Treasury, in the proportion of £200 to the head master, and £100 each to the other three.
  3. That, provided that, during the first three years of any such Institution, the number of masters shall be smaller than four, and the number of pupils or students than one hundred, a proportionate amount of the said yearly allowance of £500, to be fixed by the Educational Authorities of the Colony shall be payable to the Trustees from the Public Treasury; but that such payment shall be discontinued at the close of the third year if the Institution shall then have fewer than four masters and one hundred pupils or students.
  4. That a public examination shall be held annually, by Examiners duly appointed for the purpose, of all such pupils or students as may have completed their *curriculum* of four years; and that scholarships of from £20 to £50 a year—provided such scholarships are instituted by the Legislature, for the Grammar Schools or High Schools of the Colony generally—shall be awarded to the most deserving of such pupils or students as may be desirous of prosecuting their studies at the University.

T. A. MURRAY,  
Speaker.

[Price, 6d.]

No. 97.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

WEDNESDAY, 16 MAY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Proposed Common at Albury:—Mr. Asher presented a Petition from the Mayor and Aldermen of the Municipality of Albury, representing that by the variance in the Description of the Municipality, as granted, from that as petitioned for, certain reserved land, which might have been used as a Common, has been excluded, to the great inconvenience of the Inhabitants;—and praying that a Common may be granted adequate to the wants of the Municipality.  
Petition received.
2. Questions put to Ministers:—Mr. Asher proceeding to ask the series of Questions standing in his name No. 2 on the Notice Paper for to-day;—  
And exception being taken to the same, as not connected with the Business of Parliament, and involving reflections on the character of private individuals;—  
The Speaker stated that, in his opinion, Questions ought to be restricted so as not to be libellous—and that, although there did not appear any objection to No. (1) of the series under discussion, he considered Nos. (2), (3), and (4) to be objectionable, as involving matter of mere opinion.  
Mr. Asher accordingly withdrew the portions of the series objected to.
3. Postponement:—The resumption of the Committee of Ways and Means postponed, on motion of Mr. Weekes, until to-morrow.
4. Supply:—On motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of Supply.  
The Chairman reported progress, and obtained leave to sit again at a later hour of the day.
5. Assent to Bill:—The following Message from His Excellency the Governor General received and read:—  
W. DENISON, Message No. 36.  
*Governor General.*  
A Bill, intituled "An Act to legalize certain Sydney Municipal Elections, and to make provision for future Elections of Aldermen and Auditors for the said City of Sydney," as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.  
*Government House,*  
*Sydney, 16th May, 1860.*
6. Supply:—On motion of Mr. Weekes, the Committee resumed.

And the Committee continuing to sit till after Midnight,—

THURSDAY, 17 MAY, 1860. A.M.

The Chairman obtained leave to sit again at a later period this day, and reported the following Resolutions:—

(152.) Resolved, That in lieu of £750 for the erection of additional buildings at Camp Cove, for Pilots, granted to Her Majesty in resolution of Supply, No. 61, on 20th April, 1860, for the Service of the present year (as reported in the Votes and Proceedings of this Session, No. 82), there be granted to Her Majesty for the same year, under authority of the Governor General's Message, No. 34, of 8th May, 1860, the like sum for the erection of buildings at Watson's Bay, for Pilots' Crews, being the site really intended of the proposed buildings.

(153.) Resolved, That there be granted to Her Majesty a sum not exceeding £9,800, to defray the Salaries and Contingencies of the Department of Lands for the year 1860, (being in lieu of Resolution of Supply, No. 150, the adoption of which was rescinded 9th May, 1860. See Votes, No. 93, entry No. 6.)

Mr. Weekes then moved, That this House do now adopt these Resolutions.

Question put and passed.

7. **Parramatta Water Protection Bill**:—The Speaker reported that, shortly after the House had gone into Committee of Supply, the following Message was received from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having had under consideration the Legislative Assembly's Message, dated the 4th instant, disagreeing to the amendment made by the Council in the "*Parramatta Water Protection Bill*," which proposes the omission of clause 3, does not insist upon its said amendment, so disagreed to.

*Legislative Council Chamber,  
Sydney, 16th May, 1860.*

W. W. BURTON,  
President.

The House adjourned, on motion of Mr. Robertson, at half-past Twelve o'clock A.M., until Three o'clock P.M., this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, MAY 17.

### Contingent Notice of Motion:—

1. MR. WILSON to move (*upon the motion being made for the Resumption of the Committee of Ways and Means*);—That this House do now resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1860, the sum of £1,000, for the erection of an Experimental Quartz Crushing Machine at the Royal Mint.

### GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. WEEKES to move for leave to bring in a Bill to enable the Government to raise Loans for certain Public Works, and to pay off Land and Immigration Debentures falling due in the year 1860.
2. MR. WEEKES to move for leave to bring in a Bill to appropriate and apply, out of the Consolidated Revenue Fund of New South Wales, certain sums to make good the Supplies granted for the Service of the Years 1859-60.

### ORDERS OF THE DAY:—

1. Ways and Means; Resumption of the Committee.
2. Supply; Resumption of the Committee.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. ASHER to move, That the Petition presented by him on the 16th May, from certain Inhabitants of the District of Albury, relative to a proposed Common, be printed.
2. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
3. MR. CUMMINGS to move,—
  - (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
  - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
4. MR. PARKES to move, That this House, having considered the Report of the Committee appointed to inquire into the Social Condition of the Working Classes of the Metropolis, resolves as follows:—
  - (1.) That a Bill to promote the alienation of the Public Lands ought to be passed with the least possible delay, and that any such measure should provide the fullest facilities for the settlement of industrious families.
  - (2.) That a revision of the entire taxation of the Colony is necessary, and that in any such revision, Revenue should be raised by the imposition of duties that would tend to foster manufacturing enterprise.
  - (3.) That the re-adjustment of the Revenue system of the Colony should include the introduction of the principles of direct taxation.
  - (4.) That a Bill should be passed to amend the law regulating the erection of dwelling-houses in the City of Sydney, so as to provide against the unhealthiness of tenements.
  - (5.) That the Government should offer awards, or take other steps, to encourage the employment of capital in the erection of improved dwellings for the working classes.
  - (6.) That a Government Health Officer ought to be appointed in the City of Sydney, having sanitary jurisdiction over other large towns.

(7.)

- (7.) That a Bill should be passed to provide for the regulation of common lodging-houses.
- (8.) That a Nautical School, separate from other educational establishments, ought to be established in the Port of Sydney, in accordance with the recommendations of the Select Committee of the late Legislative Council.
- (9.) That it is necessary, in order to provide for the number of destitute Infant Children, that the Board of Directors should be assisted in enlarging the Asylum at Randwick.
- (10.) That it is expedient and necessary to establish a Government Reformatory for juvenile delinquents.
- (11.) That it is expedient that the Government should appoint Visiting Committees in all towns where prisons are established, to secure the better supervision and management of such prisons.
- (12.) That it is necessary that more effective means should be afforded by the Legislature for the suppression of brothels and other places of evil resort.
- (13.) That the Government should afford assistance, by which their labor would be turned to productive account, to those mechanics and laborers who are suffering severe privations from the want of employment.
- (14.) That the foregoing Resolutions be presented by Address to His Excellency the Governor General.
5. MR. LORD to move, That the Petition presented by him on the 10th May, from certain Inhabitants of Dubbo and other places, praying the establishment of a Court of Quarter Sessions at Dubbo, be printed.
6. MR. FAUCETT to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General; requesting His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the year 1860, the sum of £200, to be paid to the Jewish Minister resident in Sydney, in aid of the Stipend received by him from the Members of that Denomination.
7. MR. JAMISON to move, That the 57th Standing Order be suspended, with a view to the presentation of a Petition for leave to bring in a Bill to confer certain powers on the Penrith Nepean Bridge Company.
8. MR. PARKES to move, That the Analytical Return of the Expenditure for the Civil Service, ordered by this House on the 27th September last, be extended to include the year 1859 as well as 1858.
9. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, — a Return, in a tabular form, shewing the names of all persons who have been concerned in the sale, measurement, or management, of Crown Lands, since the passing of the Lands Sale Act, 5 and 6 Victoria, Cap. 36, who have become purchasers of Crown Lands; the respective offices held by them; date of sale; quantity purchased; whether town, suburban, or country lots; the rate paid per acre; whether purchased by auction, or selected after sale; and lastly, the total amount of land so alienated, and the sum realized from the sales.
10. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.
11. MR. FAUCETT to move, That the second reading of the Common Law Procedure Act Extension Bill, which lapsed by the House being counted out on Friday last, stand an Order of the Day for Tuesday next.

#### ORDERS OF THE DAY:—

1. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
2. Public Lands Bill; second reading.
3. Land Tax Bill; second reading.
4. Capital Punishments Abolition Bill; second reading.
5. Law of Primogeniture Abolition Bill; second reading.
6. Inquests concerning Fires Bill; second reading.
7. Sydney Council Debentures Bill; to be further considered in Committee.
8. Supreme Court Verdicts and Judgments Bill; second reading.
9. Commissioner at Newcastle Appointment Bill; second reading.
10. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
11. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
12. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
13. New Trials Bill; second reading.

#### Questions:—

1. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to place a sum of money upon the Estimates for 1861, for the construction of a Bridge at Casino, Richmond River?
2. MR. LYONS to ask THE SECRETARY FOR PUBLIC WORKS,—Referring to an answer received from the Honorable Minister for Public Works on the 10th April last, that in a week the plans of the Glebe Island Bridge would be completed and Tenders invited for the work,—Are the Government in a position to state when Tenders for the above work will be called for?

FRIDAY, MAY 18.

## OTHER BUSINESS—ORDER OF THE DAY:—

1. Railway Works; Resumption of the Committee to take evidence on.

## NOTICES OF MOTION:—

1. MR. HODGSON to move,—  
 (1.) That the Report of the Select Committee appointed to inquire into, and report upon, the case of Mr. David Morris and others, which was laid upon the Table of this House on 3rd May, be now adopted.  
 (2.) That an Address be presented to the Governor General, transmitting a Copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
2. MR. WINDEYER to move,—  
 (1.) That the Report of the Select Committee on the Sydney Grammar School be now adopted.  
 (2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
3. MR. SCOTT to move, That in consequence of the vast Immigration expected to take place next Spring to the Gold Fields of this Colony, it would, in the opinion of this House, be inexpedient for any adjournment to take place before a short Act has been passed to facilitate the Sale of Public Lands by free selection.
4. MR. LUCAS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the amount paid to Officers of Customs for overtime, shewing the services, the date of such services, for which overtime has been paid, and the total sum paid to each Officer.
5. MR. LUCAS to move, That this House do now resolve itself into a Committee of the whole, when the Mover will ask leave to introduce a Bill to regulate Chinese Immigration by Penalty and other Restrictions.

## ORDERS OF THE DAY:—

1. Town Hall Site Exchange Bill; second reading.
2. District Courts Act Amendment Bill; second reading.
3. Enforcement of Claims against the Crown Bill; second reading.
4. Seamen's Engagement Amendment Bill; consideration in Committee of Legislative Council's Amendments.
5. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
6. Affiliated Colleges Act Amendment Bill; second reading.
7. Necropolis Act Extension Bill; to be further considered in Committee.

## Question:—

1. MR. GARRETT to ask THE HONORABLE THE PREMIER,—  
 (1.) Whether the Government are aware of the Metropolitan District Court Judge, Mr. Holroyd, having, on Tuesday last, adjourned the Court at half-past two o'clock for the purpose of attending the Half-yearly Meeting of the Mutual Provident Society, in which Public Company he was a Candidate for a Director?  
 (2.) If the Government have heard the report that such adjournment did take place, whether they have made any inquiry into the subject, or called upon Mr. Holroyd for an explanation?

TUESDAY, MAY 22.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PARKES to move, That this House, having had under its consideration the Social Condition of the Working Classes of this Metropolis, resolves as follows:—  
 (1.) That a Bill to promote the alienation of the Public Lands ought to be passed with the least possible delay, and that any such measure should provide the fullest facilities for the settlement of industrious families.  
 (2.) That a revision of the entire taxation of the Colony is necessary, and that in any such revision, Revenue should be raised by the imposition of duties that would tend to foster manufacturing enterprise.  
 (3.) That the readjustment of the Revenue system of the Colony should include the introduction of the principles of direct taxation.  
 (4.) That a Bill should be passed to amend the law regulating the erection of dwelling-houses in the City of Sydney, so as to provide against the unhealthiness of tenements.  
 (5.) That the Government should offer awards, or take other steps to encourage the employment of capital in the erection of improved dwellings for the working classes.  
 (6.) That a Government Health Officer ought to be appointed in the City of Sydney, having sanitary jurisdiction over other large towns.  
 (7.) That a Bill should be passed to provide for the regulation of common lodging-houses.  
 (8.) That a Nautical School, separate from other educational establishments, ought to be established in the Port of Sydney, in accordance with the recommendations of the Select Committee of the late Legislative Council.

- (9.) That it is necessary, in order to provide for the number of destitute Infant Children, that the Board of Directors should be assisted in enlarging the Asylum at Randwick.
- (10.) That it is expedient and necessary to establish a Government Reformatory for juvenile delinquents.
- (11.) That it is expedient that the Government should appoint Visiting Committees in all towns where prisons are established, to secure the better supervision and management of such prisons.
- (12.) That it is necessary that more effective means should be afforded by the Legislature for the suppression of brothels and other places of evil resort.
- (13.) That the Government should afford assistance, by which their labor would be turned to productive account, to those mechanics and laborers who are suffering severe privations from the want of employment.
- (14.) That the foregoing Resolutions be presented by Address to His Excellency the Governor General.
2. MR. LUCAS to move, That in the preparation of any future Estimate of the Public Expenditure, it is desirable that any Public Officer holding two or more distinct offices, the different offices, and the salaries attached to each office held by the said Officer, shall be set forth in the Estimate; and also, the length of service of each officer in the Public Service.

Question:—

1. MR. CLEMENTS to ask THE HONORABLE THE PREMIER,—
- (1.) If it has come to his knowledge, that great and unnecessary inconvenience is occasioned by delay of the working of the Punt at Emu Plains, the persons in charge refusing to work unless a sufficient number of vehicles are present to fill the Punt at one time?
- (2.) If the Premier is aware that exorbitant charges are demanded, and if objected to, reduced?
- (3.) If the Government have fixed a scale of charges, and if not, will they?

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FRIDAY, MAY 25.

OTHER BUSINESS—NOTICE OF MOTION:—

1. DR. LANG to move,—
- (1.) That, in the opinion of this House, it is expedient and necessary that facilities should be afforded by the Executive for the establishment and maintenance of Grammar Schools, High Schools, or Academies, throughout the Colony, to afford a superior education to the youth of the middle classes of the community at a moderate expense, and to occupy an intermediate position between the common schools and the University.
- (2.) That such facilities should be afforded on the following conditions, viz.:—
1. That wherever any portion of the inhabitants of any Town, or District, having a population of not fewer than four thousand souls, shall contribute not less than £2,000 for the establishment of a Grammar School, High School, or Academy, a sum equal to the amount contributed by the promoters of the undertaking shall be payable to the Trustees or other Managers of such Institution from the Public Treasury; provided that the buildings to be erected for such purpose shall be approved beforehand by the Educational Authorities of the Colony, and provided also that no higher amount than £5,000 shall be contributed in any instance by the Government.
  2. That, provided the Educational Staff of any such Grammar School, High School, or Academy, shall comprise not fewer than four masters for the different branches of education to be taught in such school or academy; and provided that a regular curriculum, or course of study, extending over four years, shall be established in such Institution; and provided that there shall not be fewer than one hundred pupils or students in regular attendance, and that the school fees payable by each pupil or student shall not exceed £10 per annum, a yearly sum of £500 shall be payable to the Trustees from the Public Treasury, in the proportion of £200 to the head master, and £100 each to the other three.
  3. That, provided that, during the first three years of any such Institution, the number of masters shall be smaller than four, and the number of pupils or students than one hundred, a proportionate amount of the said yearly allowance of £500, to be fixed by the Educational Authorities of the Colony shall be payable to the Trustees from the Public Treasury; but that such payment shall be discontinued at the close of the third year if the Institution shall then have fewer than four masters and one hundred pupils or students.
  4. That a public examination shall be held annually, by Examiners duly appointed for the purpose, of all such pupils or students as may have completed their curriculum of four years; and that scholarships of from £20 to £50 a year—provided such scholarships are instituted by the Legislature, for the Grammar Schools or High Schools of the Colony generally—shall be awarded to the most deserving of such pupils or students as may be desirous of prosecuting their studies at the University.

T. A. MURRAY,  
Speaker.





No. 98.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

THURSDAY, 17 MAY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Export Duty on Gold:—The following Message from His Excellency the Governor General received and read:—  
W. DENISON, *Message No. 39.*  
*Governor General.*  
In reply to the Address from the Legislative Assembly, communicating the Resolution adopted by the House, on the 1st instant, namely:—"That in the opinion of this House the Export Duty on Gold should not be levied after the 31st December, 1860,"  
The Governor General is advised to state, that the necessary steps will be taken by the Government to carry into effect the wishes of the Assembly.  
*Government House,*  
*17th May, 1860.*  
Ordered to be printed.
2. Returning Officer, New England:—Mr. Darvall presented two similar Petitions, as undermentioned, from certain Inhabitants of the District of New England, praying that the Petition of Thomas George Rusden (*presented to this House on the 22nd December last*) may be so considered as to afford an opportunity for the refutation of certain alleged slanders against the Returning Officer at the late New England Election:—  
(1.) Signed George Brandon, John Harper, James Jones, and others.  
(2.) Signed George Marsh, Edward Baker, Thomas Rae, and others.  
Petitions received.
3. Paper:—Mr. Weekes laid upon the Table, General Abstract of Bank Liabilities and Assets, for the Quarter ended 31 March, 1860.  
Ordered to be printed.
4. Postponements:—Mr. Weekes postponed the motions standing in his name Nos. 1 and 2 on the Notice Paper of Government Business for to-day, until Wednesday next.
5. Richard Farran:—Mr. Parkes presented a Petition from Richard Farran, of Goulburn, representing that he suffers great hardship, in consequence of having been, under the arrangements made for District Courts, discharged from the office of Bailiff of the Goulburn Court of Petty Sessions, which he held for nine years; and praying relief.  
Petition received.
6. Ways and Means:—On motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of Ways and Means.  
The Chairman obtained leave to sit again on Wednesday next, and reported the following Resolution:—  
(9.) Resolved, That towards making good the Supply granted to Her Majesty for the Service of the year 1860, the sum of £220,096 be granted out of the Consolidated Revenue Fund of New South Wales.  
Mr. Weekes then moved, That this House do now adopt this Resolution.  
Question put and passed.
7. Supply:—On motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of Supply.

And the Committee continuing to sit till after Midnight,—

FRIDAY, 18 MAY, 1860. A.M.

The Chairman obtained leave to sit again on Wednesday next, and reported the following Resolutions:—

FURTHER ADDITIONAL ESTIMATE FOR 1860.

No. I.—SCHEDULES.

(154.) Resolved, that there be granted to Her Majesty, a sum not exceeding £706 11s. 9d., to defray the additional charge for Pensions not provided by Schedule (B) to Schedule (1) of the Act of the Imperial Parliament, 18 and 19 Vict., cap. 54,—being £431 13s. 4d. to William Macpherson, late Clerk of the Legislative Council)

Council; £153 0s. 11d. to William Wedge Darke, late Assistant Surveyor; £33 19s. 9d. to Thomas Riley, late Sergeant to Governor General's Orderlies, from 17th December, 1859; £68 1s. 6d. to George Norton Russell, late 1st Tide Waiter, Customs; and £19 16s. 3d. to K. Barton, late Clerk to Private Secretary, from 16th October to 31st December, 1859.

#### No. II.—EXECUTIVE AND LEGISLATIVE.

(155.) Resolved, that there be granted to Her Majesty, a sum not exceeding £54, to defray the additional charge for extra Messengers to the Legislative Assembly,—being difference between £110 and £137 per annum for six months of the year 1860.

#### No. III.—CHIEF SECRETARY.

(156.) Resolved, that there be granted to Her Majesty, a sum not exceeding £33 6s. 8d., to defray the additional charge for rent of Office for Registrar General, for the month of April, 1860.

(157.) Resolved, that there be granted to Her Majesty, a sum not exceeding £10,000, to defray the additional charge for the support of Schools, for the year 1860,—being £5,000 for National, and £5,000 for Denominational Schools.

(158.) Resolved, that there be granted to Her Majesty, a sum not exceeding £550, to defray the additional charge for Police Magistrates for the year 1860.

(159.) Resolved, that there be granted to Her Majesty, a sum not exceeding £550, to defray the additional charge for Clerks of Petty Sessions for the year 1860.

(160.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,105 8s. 6d., to defray the additional charge for Constabulary for the year 1860,—being £457 10s. for Albury; £274 10s. for Gundagai; £100 18s. for Gunnedah; and (consequent upon the discovery of the Snowy River Gold Fields) £1,897 4s. for Kiandra; £263 18s. 6d. for Yarringabilly; £263 18s. 6d. for Russell's Station; £263 18s. 6d. for Bombala; £286 17s. 6d. for Cooma; £263 18s. 6d. for Wyndham; £432 4s. 6d. for Micalago; £432 4s. 6d. for Queanbeyan; and £168 6s. for Bungendore.

(161.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,820, to defray the additional charge for Police Contingencies. (consequent upon the discovery of the Snowy River Gold Fields) for the year 1860.

(162.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,542 7s. 8d., to defray the additional charge for Gaol Establishments, for the year 1860,—being £247 1s. for Sydney Gaol; £237 18s. for Parramatta Gaol; £22 8s. 8d. for Goulburn Gaol, being deficiency in amount voted for contingencies for 1859; £100 18s. for Yass Gaol; £229 16s. for Wollongong Gaol; £109 16s. for Albury Gaol; £100 18s. for Gundagai Gaol; and £494 2s. for Gaols, Country Districts.

(163.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,268 16s. 8d., to defray the additional charge for the Lunatic Asylum, Tarban,—being £26 16s. 8d. for additional Female Attendant, from 1st June, and £1,242 deficiency in the amount voted for Provisions and Medical Comforts for 1859.

(164.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,216 19s. 5d., to defray the additional charge for Naval Allowance for the year 1860,—being £1,075 2s. 11d. for Allowance to the Officers and Men of H.M. Ship "Herald," from 1st April to 31st December, 1859; and £141 16s. 6d. for Allowance to the Officers and Men of H.M. Ship "Cordelia," from 20th November to 31st December, 1859.

(165.) Resolved, that there be granted to Her Majesty, a sum not exceeding £18 6s., to defray the additional charge for Military Allowance for the year 1860,—being difference between 7s. per diem proposed on General Estimates for 1860, and 8s. per diem, authorised as allowance to Surgeon-Major of the 12th Regiment.

(166.) Resolved, that there be granted to Her Majesty, a sum not exceeding £388 16s. 8d., to defray the additional charge for Charitable Allowances,—being £750 in aid of the erection of a Benevolent Asylum at Patrick's Plains, on condition of an equal amount being raised by private subscription, for the year 1860; and £138 16s. 8d. deficiency in amount voted for Support of Paupers in Colonial Hospitals for 1859.

(167.) Resolved, that there be granted to Her Majesty, a sum not exceeding £900, to defray the additional charge for Grants in aid of Public Institutions, for the year 1860,—being £600 in aid of the erection of the Wollongong School of Arts, on condition of an equal amount being raised by public subscriptions; £100 in aid of the Waverley School of Arts, until a Building be erected, on same condition; and a further sum of £200 in aid of the erection of the East Maitland School of Arts, on condition of an equal amount being raised by private subscriptions.

(168.) Resolved, that there be granted to Her Majesty, a further sum not exceeding £100, to defray the additional charge for Medicines and Medical Comforts for the Aborigines, for the year 1859.

(169.) Resolved, that there be granted to Her Majesty, a sum not exceeding £316 19s. 3d., to defray the additional charge for Miscellaneous Services for the year 1860,—being £183 10s. 6d. costs and damages incurred by the Inspector General of Police in the case "Neale v. M'Leerie"; £98 8s. 9d. gratuity to the late Clerk of Petty Sessions at Condamine, being an amount equal to one month's pay for each year, or portion of a year's service; and £35 to cover the costs of certain experiments to be made for the purification of Sydney Water from lead.

No.

## No. IV.—ADMINISTRATION OF JUSTICE.

(170.) Resolved, that there be granted to Her Majesty, a sum not exceeding £127 1s. 8d., to defray the additional charge for Law Officers Department, for the service of the year 1860,—being £50 Law Expenses, in case of Robertson *ats. Lenchan*; and a further sum of £77 1s. 8d. Law Expenses, in case of Robertson *ats. Dumaresq.*

(171.) Resolved, that there be granted to Her Majesty, a sum not exceeding £141 3s. 6d., to defray the additional charge for deficiency in amount voted for Contingencies, for 1859, for Supreme and Circuit Courts.

(172.) Resolved, that there be granted to Her Majesty, a sum not exceeding £30, to defray the additional charge for Registrar of the Cumberland and Coast District Court, Kiama, for the year 1860.

(173.) Resolved, that there be granted to Her Majesty, a sum not exceeding £276 9s. 8d., to defray the additional charge for deficiency in amount voted for Contingencies for Quarter Sessions, for the year 1859.

(174.) Resolved, that there be granted to Her Majesty, a sum not exceeding £300, to defray the additional charge for deficiency in amount voted for Contingencies for Coroners, for the year 1859.

## No. V.—TREASURER AND SECRETARY FOR FINANCE AND TRADE.

(175.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,033 4s. 5d., to defray the additional charge for the Department of Customs,—being £273 4s. 5d. for deficiency in the amount voted for Contingencies, for Sydney, for the year 1859; £25, difference between £225 and £250 per annum, for Tide Surveyor, Newcastle; £275 for Sub-Collector, Grafton; £120 for Coxswain, at same place; £288 for 3 Boatmen, at £96, at same place; and £52 for Acting Customs Officer for Wollongong and Bellambi, for the year 1860.

(176.) Resolved, that there be granted to Her Majesty, a sum not exceeding £164 19s. 6d., to defray the additional charge for the Department of the Sydney Branch of the Royal Mint,—being £73 10s. for extra Constable, from 1st May, 1860, at 6s. per diem; £42 13s. 6d. for cost of extra Labor and Material in the Operative Department; and £48 16s. for deficiency in amount voted for Contingencies, for 1859.

(177.) Resolved, that there be granted to Her Majesty, a sum not exceeding £50, to defray the additional charge for Gold Receivers,—being £25 for Meragle; and £25 for Cooma.

(178.) Resolved, that there be granted to Her Majesty, a sum not exceeding £666, to defray the additional charge for the Post Office Department for the year 1860,—being £66 for additional Letter Carrier for Woolloomooloo, from 1st July; a further sum of £500 for Country Postmasters; and £100 for extra assistance in sorting English Mails.

(179.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,954, to defray the additional charge for the Conveyance of Mails for the year 1860,—being £3,500 for the Conveyance of Mails Within and Beyond the Settled Districts; £104 Gratuities for Ship Mails, Foreign and Coastwise; £200 for Portage; and £150 for Incidental Expenses in connection with Railways.

(180.) Resolved, that there be granted to Her Majesty, a sum not exceeding £215 15s., to defray the additional charge for Stores and Stationery for the year 1860,—being £165 15s. for the purchase, in England, of one of Siebes' best Diving Apparatus, with an Extra Dress; and £50 for the purchase, in England, of two Sets of Charts of the Coast of Australia, and of the Islands of the Pacific Ocean.

(181.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,160 16s., to defray the additional charge for the Harbors, Light Houses, and Pilot Department, for the year 1860,—being a further sum of £189 6s. for the Members of the Steam Navigation and Pilot Board, for the year 1859; £20 allowance to Principal Lightkeeper, for acting as Signal Master at Light House at Newcastle; £105 for Principal Lightkeeper, at £180, from 1 June, at Cape St. George; £49 for 1st Assistant Lightkeeper, at £84, from 1 June, at same place; and £49 for 2nd Assistant Lightkeeper, at £84, from 1 June, at same place; £175 for Pilot at Moruya, £192 for two Boatmen, at £96 each; £60 for Boat and Incidental Expenses; and £330 10s. for Contingencies, being Deficiency in the amount voted for two Life Boats for the Ports of Sydney and Newcastle respectively.

(182.) Resolved, that there be granted to Her Majesty, a sum not exceeding £969 2s., to defray the additional charge for Miscellaneous Services for the year 1860,—being £448 5s. 4d., for Deficiency in the Amount voted for the salary, allowance, and incidental expenses of the Agent of the Government of New South Wales, in England, for negotiating a Steam Postal Service *via* Panama; £300 for Reward for the rescue of two white Children from the Natives of Frazer's Island; £150 for the hire of the schooner "Circassian," to proceed to the Island of New Nantucket, in search of the crew of the British ship "Virginia," which was wrecked there; and £70 16s. 8d. for Gratuity to Lieut. Seaver, R.N., late Shipping Master, Newcastle, being an amount equal to one month's pay for each year or portion of a year's service.

## No. VI.—SECRETARY FOR LANDS.

(183.) Resolved, that there be granted to Her Majesty, a sum not exceeding £29 7s. 3d., to defray the additional charge of the Survey Department for the year 1860, being Pension to James Bean, Messenger, Survey Office.

(184.) Resolved, that there be granted to Her Majesty, a sum not exceeding £72 18s. 4d., to defray the additional charge for Immigration Department for the year 1860, being for Gratuity to George Henry Cockburn, Messenger in the Immigration Department.

(185.)

(185.) Resolved, that there be granted to Her Majesty, a sum not exceeding £424 5s. 7d., to defray the additional charge for Management of Alpacas,—being £100 to meet the expenses incurred for the Pasturage of the Animals during their journey to Maneroo, and other expenses; and £324 5s. 7d., being deficiency in amount voted for 1859.

(186.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,000, to defray the additional charge for Gold Fields for the year 1860, to be applied as a Reward Fund for the Discovery of New Gold Fields.

(187.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,190, to defray the additional charges for Roads other than Main Roads for the year 1860,—being £3,940 for the repair of the damages done to Roads and Bridges by the recent Floods; and £250, for the Erection of a Punt at Yates' Flat, Clarence River.

#### NO. VII.—SECRETARY FOR PUBLIC WORKS.

(188.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,300, to defray the charge for the Department of Internal Communication, Road Branch, for the year 1860, being,—£100 for the Erection of a Bridge at Crooked Creek; £1,500 for the erection of a Bridge at Stony Creek; a further sum of £300 for the Erection of a Bridge over the Page River, at Murrurundi; £1,000 to provide Punts at Emu Ferry; and £400 to provide a Punt at Lismore.

(189.) Resolved, that there be granted to Her Majesty, a sum not exceeding £9,380 5s., to defray charges, for 1860, for damages done to Roads and Bridges by recent Floods (Flood Vote),—being £80 5s. compensation to Mrs. Wynne, for loss sustained as Lessee of the Toll-gate, in consequence of the Camden Bridge being swept away by the flood; £500 extra maintenance for Road from Maitland to Morpeth; £250 for repairing Menangle Bridge; £250 for repairing the Approaches to the Menangle Bridge; £300 for repairing damage done to the Breakwater, Newcastle; £7,000 for repairing damage done on the Southern Road, including Berrima, Camden, and Picton Bridges; £500 for damage to Culverts, &c., Western Road; and £500 for damage to Culverts, &c., Northern Road.

(190.) Resolved, that there be granted to Her Majesty, a sum not exceeding £17,901 16s. 8d., to defray the charge for Works and Buildings for the year 1860,—being £427 for Lighting Government Lamps in streets of Sydney; £500 for Erection of Police Barracks and Hospital at Tumut; £266 for Erection of a Chimney at the Royal Mint; £262 for Erection of Additional Out-Houses at Hornby Lighthouse; £1,000 for Repairs to the Lunatic Asylum at Parramatta; £1,500 for Out-Buildings and Internal Fittings, New Registry Office; £850 for Additions, Government Printing Office; £450 to cover cost of Court and Watch-houses at Queanbeyan, in addition to £1,200 provided by Loan Act, 1854; £81 8s. for deficiency in amount voted for Alterations to Court House, Bathurst; £9 13s. 4d. for deficiency in amount voted for constructing Bridge, Jugiong; £249 3s. 3d. for deficiency in amount voted for Repairs, Military Buildings; £49 1s. 2d. for deficiency in amount voted for Observatory Buildings; £78 12s. for deficiency in amount voted for completing Road to Abattoir, Glebe Island; £2,095 15s. for deficiency in amount voted for Alterations, &c., to Houses of Parliament; £83 3s. 11d. for deficiency in amount voted for Light House, Inner South Head; and (consequent upon the discovery of the *Sunway River Gold Fields*) £1,200 for Kiandra, Court House and Station House; £1,200 for Russell's Station, Court House and Station House; £400 for Micalago, Court House and Station House; £1,200 for Inverell, Court House and Station House; £400 for Bungendore, Station House; £800 for Queanbeyan, Patrol Station; £400 for Micalago, Patrol Station; £800 for Cooma, Patrol Station; £800 for Bombala, Patrol Station; £800 for Wyndham, Patrol Station; £800 for Russell's, Patrol Station; and £800 for Yarrigabilly, Patrol Station.

(191.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,063, to defray the additional charge for Harbors and River Navigation for the year 1860,—being £163 for Moorings for Vessels in stress of weather at Cabbagorree Haven; £500 for Erection of a Jetty at Bateman's Bay; and £400 for placing Moorings in the Harbor of Bellambi.

(192.) Resolved, that there be granted to Her Majesty, a sum not exceeding £440 10s., to defray the additional charge for Miscellaneous Items for the service of the Department of Public Works for the year 1860,—being £152 as compensation to Mrs. De Courey, as recommended by Select Committee (£100 and £52); a further sum of £250 as compensation to Mrs. Want, for loss sustained by Railway Accident; and £38 10s. as compensation to Mr. Malloy, in accordance with Report of Select Committee.

#### TO BE PROVIDED FOR BY LOAN.

(193.) Resolved, that there be granted to Her Majesty, for the year 1860, to be provided for by Loan, a sum not exceeding £64,592,—being £8,700 for Electric Telegraph Line from Gundagai to Kiandra *via* Adelong and Tumut; £2,000 to purchase Alphabetical Telegraph Instruments; a further sum of £16,892 for Improvements to the Harbor of Wollongong; a further sum of £20,000 for Improvements to the Harbor of Kiama; £4,000 for Improvements to Shoalhaven and Crookhaven Rivers; £1,500 for the construction of a Wharf at Eden; £6,500 for the erection of a Light House at Port Stephens; £1,000 towards completion of Wharf, Newcastle; and £4,000 to metal Bargo Brush (in substitution of Loan Vote agreed to in 1854, for the erection of a Bridge at Bargo River.)

## No. VI.—SECRETARY FOR LANDS.

(194.) Resolved, that there be granted to Her Majesty, for the year 1860, to be provided for by Loan, a sum not exceeding £53,000 to pay off Land and Immigration Debentures falling due in 1860.

## ESTIMATES FOR 1860.

## No. VII.—SECRETARY FOR PUBLIC WORKS.

(195.) Resolved, that there be granted to Her Majesty, a sum not exceeding £25,000 for providing Court Houses and Gaols, under the District Courts Act, for the year 1860.

Mr. Robertson then moved, That this House do now adopt these Resolutions.

Question put and passed.

- '8. The Speaker reported, That shortly after the House had gone into Committee of Supply, the following Messages had been received from the Legislative Council:—

(1.) Lunacy Jurisdiction Amendment Bill:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled, "*An Act to simplify Proceedings under Commissions of Lunacy*," presents the same to the Legislative Assembly for its concurrence.

Legislative Council Chamber,  
Sydney, 17 May, 1860.

W. W. BURTON,  
President.

Bill, on motion of Mr. Hart, read a first time; ordered to be printed, and read a second time on Tuesday next.

(2.) Mount Keira Tramroad Bill:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to authorize the completion of a Tramroad from the Mount Keira Coal Mines to Wollongong Harbour*," returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,  
Sydney, 17 May, 1860.

W. W. BURTON,  
President.

The House adjourned, on motion of Mr. Robertson, at five minutes after Twelve o'clock, A.M., until Three o'clock, P.M., this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, MAY 18.

## OTHER BUSINESS—ORDER OF THE DAY:—

1. Railway Works; Resumption of the Committee to take evidence on.

## NOTICES OF MOTION:—

1. Mr. HODGSON to move,—  
(1.) That the Report of the Select Committee appointed to inquire into, and report upon, the case of Mr. David Morris and others, which was laid upon the Table of this House on 3rd May, be now adopted.  
(2.) That an Address be presented to the Governor General, transmitting a Copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
2. Mr. WINDEYER to move,—  
(1.) That the Report of the Select Committee on the Sydney Grammar School be now adopted.  
(2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
3. Mr. SCOTT to move, That in consequence of the vast Immigration expected to take place next Spring to the Gold Fields of this Colony, it would, in the opinion of this House, be inexpedient for any adjournment to take place before a short Act has been passed to facilitate the Sale of Public Lands by free selection.
4. Mr. LUCAS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the amount paid to Officers of Customs for overtime, shewing the services, the date of such services, for which overtime has been paid, and the total sum paid to each Officer.
5. Mr. LUCAS to move, That this House do now resolve itself into a Committee of the whole, when the Mover will ask leave to introduce a Bill to regulate Chinese Immigration by Penalty and other Restrictions.
6. Mr. PARKES to move, That the Petition from Richard Farran, presented by him on the 17th May, be printed.
7. Mr. ASNER to move, That the Petition presented by him on the 16th May, from certain Inhabitants of the District of Albury, relative to a proposed Common, be printed.

8. MR. BYRNES to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the ensuing year, a sum not less than £15,000, to be appropriated, as a Reward Fund, in equal amounts, for the discovery of payable Copper, Silver, Tin, and Nickel Mines, and for the encouragement of each and every other interest in the Colony.
9. MR. CUMMINGS to move,—
  - (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
  - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
9. MR. PARKES to move, That this House, having considered the Report of the Committee appointed to inquire into the Social Condition of the Working Classes of the Metropolis, resolves as follows :—
  - (1.) That a Bill to promote the alienation of the Public Lands ought to be passed with the least possible delay, and that any such measure should provide the fullest facilities for the settlement of industrious families.
  - (2.) That a revision of the entire taxation of the Colony is necessary, and that in any such revision, Revenue should be raised by the imposition of duties that would tend to foster manufacturing enterprise.
  - (3.) That the re-adjustment of the Revenue system of the Colony should include the introduction of the principles of direct taxation.
  - (4.) That a Bill should be passed to amend the law regulating the erection of dwelling-houses in the City of Sydney, so as to provide against the unhealthiness of tenements.
  - (5.) That the Government should offer awards, or take other steps, to encourage the employment of capital in the erection of improved dwellings for the working classes.
  - (6.) That a Government Health Officer ought to be appointed in the City of Sydney, having sanitary jurisdiction over other large towns.
  - (7.) That a Bill should be passed to provide for the regulation of common lodging-houses.
  - (8.) That a Nautical School, separate from other educational establishments, ought to be established in the Port of Sydney, in accordance with the recommendations of the Select Committee of the late Legislative Council.
  - (9.) That it is necessary, in order to provide for the number of destitute Infant Children, that the Board of Directors should be assisted in enlarging the Asylum at Randwick.
  - (10.) That it is expedient and necessary to establish a Government Reformatory for juvenile delinquents.
  - (11.) That it is expedient that the Government should appoint Visiting Committees in all towns where prisons are established, to secure the better supervision and management of such prisons.
  - (12.) That it is necessary that more effective means should be afforded by the Legislature for the suppression of brothels and other places of evil resort.
  - (13.) That the Government should afford assistance, by which their labor would be turned to productive account, to those mechanics and laborers who are suffering severe privations from the want of employment.
  - (14.) That the foregoing Resolutions be presented by Address to His Excellency the Governor General.
10. MR. LORD to move, That the Petition presented by him on the 10th May, from certain Inhabitants of Dubbo and other places, praying the establishment of a Court of Quarter Sessions at Dubbo, be printed
11. MR. FAUCETT to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, requesting His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the year 1860, the sum of £200, to be paid to the Jewish Minister resident in Sydney, in aid of the Stipend received by him from the Members of that Denomination.
12. MR. JAMISON to move, That the 57th Standing Order be suspended, with a view to the presentation of a Petition for leave to bring in a Bill to confer certain powers on the Penrith Nepean Bridge Company.
13. MR. PARKES to move, That the Analytical Return of the Expenditure for the Civil Service, ordered by this House on the 27th September last, be extended to include the year 1859 as well as 1858.
14. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return, in a tabular form, shewing the names of all persons who have been concerned in the sale, measurement, or management, of Crown Lands, since the passing of the Lands' Sale Act, 5. and 6 Victoria, Cap. 36, who have become purchasers of Crown Lands; the respective offices held by them; date of sale; quantity purchased; whether town, suburban, or country lots; the rate paid per acre; whether purchased by auction, or selected after sale; and lastly, the total amount of land so alienated, and the sum realized from the sales.
15. DR. LANG to move, That the various Petitions, presented both to the present and the late Legislative Assembly, praying for the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842, be now taken into consideration.

16. **MR. FAUGETT** to move, That the second reading of the Common Law Procedure Act Extension Bill, which lapsed by the House being counted out on Friday last, stand an Order of the Day for Tuesday next.

**ORDERS OF THE DAY :—**

1. Town Hall Site Exchange Bill ; second reading.
2. District Courts Act Amendment Bill ; second reading.
3. Enforcement of Claims against the Crown Bill ; second reading.
4. Seamen's Engagement Amendment Bill ; consideration in Committee of Legislative Council's Amendments.
5. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
6. Affiliated Colleges Act Amendment Bill ; second reading.
7. Necropolis Act Extension Bill ; to be further considered in Committee.
8. Funds for Experimental Quartz Crushing Machine ; consideration in Committee of Address for.
9. Public Lands Bill ; second reading.
10. Land Tax Bill ; second reading.
11. Capital Punishments Abolition Bill ; second reading.
12. Law of Primogeniture Abolition Bill ; second reading.
13. Inquests concerning Fires Bill ; second reading.
14. Sydney Council Debentures Bill ; to be further considered in Committee.
15. Supreme Court Verdicts and Judgments Bill ; second reading.
16. Commissioner at Newcastle Appointment Bill ; second reading.
17. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
18. Moreton Bay Immigration and Land Company's Act Amendment Bill ; second reading.
19. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
20. New Trials Bill ; second reading.

**Questions :—**

1. **MR. GARRETT** to ask **THE HONORABLE THE PREMIER**,—  
 (1.) Whether the Government are aware of the Metropolitan District Court Judge, Mr. Holroyd, having, on Tuesday last, adjourned the Court at half-past two o'clock for the purpose of attending the Half-yearly Meeting of the Mutual Provident Society, in which Public Company he was a Candidate for a Director ?  
 (2.) If the Government have heard the report that such adjournment did take place, whether they have made any inquiry into the subject, or called upon Mr. Holroyd for an explanation ?
2. **MR. FORSTER** to ask **THE SECRETARY FOR LANDS**,—What determination, if any, has been arrived at by the Government, with reference to the route by which the Gold is to be conveyed by Escort from the Kiandra Diggings to the coast ?

**TUESDAY, MAY 22.**

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. **MR. PARKES** to move, That this House, having had under its consideration the Social Condition of the Working Classes of this Metropolis, resolves as follows :—  
 (1.) That a Bill to promote the alienation of the Public Lands ought to be passed with the least possible delay, and that any such measure should provide the fullest facilities for the settlement of industrious families.  
 (2.) That a revision of the entire taxation of the Colony is necessary, and that in any such revision, Revenue should be raised by the imposition of duties that would tend to foster manufacturing enterprise.  
 (3.) That the readjustment of the Revenue system of the Colony should include the introduction of the principles of direct taxation.  
 (4.) That a Bill should be passed to amend the law regulating the erection of dwelling-houses in the City of Sydney, so as to provide against the unhealthiness of tenements.  
 (5.) That the Government should offer awards, or take other steps to encourage the employment of capital in the erection of improved dwellings for the working classes.  
 (6.) That a Government Health Officer ought to be appointed in the City of Sydney, having sanitary jurisdiction over other large towns.  
 (7.) That a Bill should be passed to provide for the regulation of common lodging-houses.  
 (8.) That a Nautical School, separate from other educational establishments, ought to be established in the Port of Sydney, in accordance with the recommendations of the Select Committee of the late Legislative Council.  
 (9.) That it is necessary, in order to provide for the number of destitute Infant Children, that the Board of Directors should be assisted in enlarging the Asylum at Randwick.  
 (10.) That it is expedient and necessary to establish a Government Reformatory for juvenile delinquents.  
 (11.) That it is expedient that the Government should appoint Visiting Committees in all towns where prisons are established, to secure the better supervision and management of such prisons.  
 (12.) That it is necessary that more effective means should be afforded by the Legislature for the suppression of brothels and other places of evil resort.

(13.) That the Government should afford assistance, by which their labor would be turned to productive account, to those mechanics and laborers who are suffering severe privations from the want of employment.

(14.) That the foregoing Resolutions be presented by Address to His Excellency the Governor General.

2. MR. LUCAS to move, That in the preparation of any future Estimate of the Public Expenditure, it is desirable that any Public Officer holding two or more distinct offices, the different offices, and the salaries attached to each office held by the said Officer, shall be set forth in the Estimate; and also, the length of service of each officer in the Public Service.
3. MR. DARVALL to move,—
  - (1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risks of trade, and gives undue encouragement to speculation and the extension of credit.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.
4. MR. DARVALL to move,—
  - (1.) That in order to expedite the adjustment of the joint Debt of New South Wales and Queensland, it is expedient to refer that question to the decision of Arbitrators, to be nominated by each Colony, with power to appoint an Umpire.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.

ORDER OF THE DAY :—

1. Lunacy Jurisdiction Amendment Bill; second reading.

Question :—

1. MR. CLEMENTS to ask THE HONORABLE THE PREMIER,—
  - (1.) If it has come to his knowledge, that great and unnecessary inconvenience is occasioned by delay of the working of the Punt at Ema Plains, the persons in charge refusing to work unless a sufficient number of vehicles are present to fill the Punt at one time?
  - (2.) If the Premier is aware that exorbitant charges are demanded, and if objected to, reduced?
  - (3.) If the Government have fixed a scale of charges, and if not, will they?

WEDNESDAY, MAY 23.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. WEEKES to move for leave to bring in a Bill to enable the Government to raise Loans for certain Public Works, and to pay off Land and Immigration Debentures falling due in the year 1860.
2. MR. WEEKES to move for leave to bring in a Bill to appropriate and apply, out of the Consolidated Revenue Fund of New South Wales, certain sums to make good the Supplies granted for the Service of the Years 1859-60.

ORDERS OF THE DAY :—

1. Ways and Means; Resumption of the Committee.
2. Supply; Resumption of the Committee.

FRIDAY, MAY 25.

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move,—
  - (1.) That, in the opinion of this House, it is expedient and necessary that facilities should be afforded by the Executive for the establishment and maintenance of Grammar Schools, High Schools, or Academies, throughout the Colony, to afford a superior education to the youth of the middle classes of the community at a moderate expense, and to occupy an intermediate position between the common schools and the University.
  - (2.) That such facilities should be afforded on the following conditions, viz. :—
    1. That whosoever any portion of the inhabitants of any Town, or District, having a population of not fewer than four thousand souls, shall contribute not less than £2,000 for the establishment of a Grammar School, High School, or Academy, a sum equal to the amount contributed by the promoters of the undertaking shall be payable to the Trustees or other Managers of such Institution from the Public Treasury; provided that the buildings to be erected for such purpose shall be approved beforehand by the Educational Authorities of the Colony, and provided also that no higher amount than £5,000 shall be contributed in any instance by the Government.



2. That, provided the Educational Staff of any such Grammar School, High School, or Academy, shall comprise not fewer than four masters for the different branches of education to be taught in such school or academy; and provided that a regular *curriculum*, or course of study, extending over four years, shall be established in such Institution; and provided that there shall not be fewer than one hundred pupils or students in regular attendance, and that the school fees payable by each pupil or student shall not exceed £10 per annum, a yearly sum of £500 shall be payable to the Trustees from the Public Treasury, in the proportion of £200 to the head master, and £100 each to the other three.
  3. That, provided that, during the first three years of any such Institution, the number of masters shall be smaller than four, and the number of pupils or students than one hundred, a proportionate amount of the said yearly allowance of £500, to be fixed by the Educational Authorities of the Colony shall be payable to the Trustees from the Public Treasury; but that such payment shall be discontinued at the close of the third year if the Institution shall then have fewer than four masters and one hundred pupils or students.
  4. That a public examination shall be held annually, by Examiners duly appointed for the purpose, of all such pupils or students as may have completed their *curriculum* of four years; and that scholarships of from £20 to £50 a year—provided such scholarships are instituted by the Legislature, for the Grammar Schools or High Schools of the Colony generally—shall be awarded to the most deserving of such pupils or students as may be desirous of prosecuting their studies at the University.
2. MR. LAYCOCK to move, That the decision of this House, arrived at in April last, whereby the Gold Export Duty was repealed from and after the 31st December, 1860, be reconsidered, with a view to such repeal of Duty taking effect from and after the 30th June next.

T. A. MURRAY,  
*Speaker.*

[Printed, ...]



No. 99.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

FRIDAY, 18 MAY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
*Railway Works*:—On motion of Mr. Parkes, the Speaker left the Chair, and the House resolved itself into a Committee of the whole to take Evidence on *Railway Works*.  
 The Chairman reported progress, and obtained leave to sit again on Tuesday next.  
*Evidence at Bar*:—Mr. Parkes then, with the concurrence of the House, moved, without previous notice, That the Evidence taken at the Bar this day, in Committee of the Whole, on *Railway Works*, be printed.  
 Question put and passed.  
 Ordered to be printed.
2. Mr. David Morris (*and others*):—Mr. Hodgson proceeding to make the motion standing in his name, No. 1 on the Notice Paper for to-day,—  
 And Mr. Robertson calling the attention of the Speaker thereto,—  
 The Speaker ruled, that, as the Report of the Select Committee in this case involved an appropriation of Public Money, it would be in contravention of the practice of Parliament, as laid down in May, (4th edition) page 514, and also of the 54th Clause of the Constitution Act, to move its adoption by the House as proposed,—  
 Whereupon Mr. Hodgson *amended* his Notice, and moved, That an Address be presented to the Governor General, transmitting a Copy of the Report and Evidence, in the case of Mr. David Morris, and others, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.  
 Debate ensued.  
 Motion by leave withdrawn.
3. Sydney Grammar School:—Mr. Windeyer moved, pursuant to notice,—  
 (1.) That the Report of the Select Committee on the Sydney Grammar School be now adopted.  
 (2.) That an Address be presented to the Governor General, transmitting a copy of the Report and Evidence, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.  
 Debate ensued.

And the House continuing to sit till after Midnight,—

SATURDAY, 19 MAY, 1860. A.M.

Question put.

The House divided.

Ayes, 10.

Mr. Hay,	Mr. Parkes,	} Tellers.
Mr. Windeyer,	Mr. Hamilton,	
Mr. Egan,	Mr. Clements,	
Mr. Faucett,		
Mr. Martin,		
Mr. Scott,		
Mr. Macleay,		

Noes, 14.

Mr. Arnold,	Mr. Roberts,	} Tellers.
Mr. Weekes,	Mr. Wisdom,	
Mr. Laidlaw,	Mr. Forster,	
Mr. Hurley,	Mr. Hyrnes,	
Mr. Hoskins,	Rev. Dr. Lang,	
Mr. Broughton,	Mr. Gordon,	
Mr. Lucas,	Mr. Ryan,	

## 4. Postponements:—

- (1.) Mr. Scott postponed the motion standing in his name, No. 3 on the Notice Paper for to-day, until Friday next.
- (2.) Mr. Lucas postponed the motions standing in his name, Nos. 4 and 5 on the Notice Paper for to-day, until Tuesday next.
5. Richard Farran:—Mr. Parkes moved, pursuant to notice, That the Petition from Richard Farran, presented by him on the 17th May, be printed.  
 Question put and passed.  
 Ordered to be printed.
6. Proposed Common at Albury:—Mr. Weekes moved, pursuant to notice standing in the name of Mr. Asher, That the Petition presented by Mr. Asher on the 10th May, from certain Inhabitants of the District of Albury, relative to a proposed Common, be printed.  
 Question put and passed.  
 Ordered to be printed.

7. Motion withdrawn:—Mr. Byrnes withdrew the motion standing in his name, No. 8 on the Notice Paper for to-day.
8. Postponement:—Mr. Hoskins postponed the motion standing in the name of Mr. Cummings, No. 9 (1) on the Notice Paper for to-day, until Tuesday next.
9. Motion withdrawn:—Mr. Parkes withdrew the motion standing in his name No. 9 (2) on the Notice Paper for to-day.
10. Court of Quarter Sessions at Dubbo:—Mr. Weekes moved, pursuant to notice standing in the name of Mr. Lord, That the Petition presented by Mr. Lord on the 10th May, from certain Inhabitants of Dubbo and other places, praying the establishment of a Court of Quarter Sessions at Dubbo, be printed.  
Question put and passed.  
Ordered to be printed.
11. Postponements:—
  - (1.) Mr. Faucett postponed the motion standing in his name, No. 11 on the Notice Paper for to-day, until Friday next.
  - (2.) Mr. Arnold postponed the motion standing in the name of Mr. Jamison, No. 12 on the Notice Paper for to-day, until Tuesday next.
12. Expenditure for the Civil Service:—Mr. Parkes moved, pursuant to notice, That the Analytical Return of the Expenditure for the Civil Service, ordered by this House on the 27th September last, be extended to include the year 1859 as well as 1858.  
Question put and passed.
13. Postponement:—Mr. Hoskins postponed the motion standing in the name of Mr. Hart, No. 14 on the Notice Paper for to-day, until Tuesday next.
14. Motion Withdrawn:—Dr. Lang withdrew the motion standing in his name, No. 15 on the Notice Paper for to-day.
15. Postponement:—Mr. Faucett postponed the motion standing in his name, No. 16 on the Notice Paper for to-day, until Tuesday next.  
The House adjourned, on motion of Mr. Weekes, at Two o'clock, A.M., until Tuesday next, at Three o'clock, P.M.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, MAY 22.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PARKES to move, That this House, having had under its consideration the Social Condition of the Working Classes of this Metropolis, resolves as follows:—
  - (1.) That a Bill to promote the alienation of the Public Lands ought to be passed with the least possible delay; and that any such measure should provide the fullest facilities for the settlement of industrious families.
  - (2.) That a revision of the entire taxation of the Colony is necessary, and that in any such revision, Revenue should be raised by the imposition of duties that would tend to foster manufacturing enterprise.
  - (3.) That the readjustment of the Revenue system of the Colony should include the introduction of the principles of direct taxation.
  - (4.) That a Bill should be passed to amend the law regulating the erection of dwelling-houses in the City of Sydney, so as to provide against the unhealthiness of tenements.
  - (5.) That the Government should offer awards, or take other steps to encourage the employment of capital in the erection of improved dwellings for the working classes.
  - (6.) That a Government Health Officer ought to be appointed in the City of Sydney, having sanitary jurisdiction over other large towns.
  - (7.) That a Bill should be passed to provide for the regulation of common lodging-houses.
  - (8.) That a Nautical School, separate from other educational establishments, ought to be established in the Port of Sydney, in accordance with the recommendations of the Select Committee of the late Legislative Council.
  - (9.) That it is necessary, in order to provide for the number of destitute Infant Children, that the Board of Directors should be assisted in enlarging the Asylum at Randwick.
  - (10.) That it is expedient and necessary to establish a Government Reformatory for juvenile delinquents.
  - (11.) That it is expedient that the Government should appoint Visiting Committees in all towns where prisons are established, to secure the better supervision and management of such prisons.
  - (12.) That it is necessary that more effective means should be afforded by the Legislature for the suppression of brothels and other places of evil resort.
  - (13.) That the Government should afford assistance, by which their labor would be turned to productive account, to those mechanics and laborers who are suffering severe privations from the want of employment.
  - (14.) That the foregoing Resolutions be presented by Address to His Excellency the Governor General.

2. Mr. LUCAS to move, That in the preparation of any future Estimate of the Public Expenditure, it is desirable that any Public Officer holding two or more distinct offices, the different offices, and the salaries attached to each office held by the said Officer, shall be set forth in the Estimate; and also, the length of service of each officer in the Public Service.
3. Mr. DARVALL to move,—
  - (1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risks of trade, and gives undue encouragement to speculation and the extension of credit.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.
4. Mr. DARVALL to move,—
  - (1.) That in order to expedite the adjustment of the joint Debt of New South Wales and Queensland, it is expedient to refer that question to the decision of Arbitrators, to be nominated by each Colony, with power to appoint an Umpire.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.
5. Mr. CLARK IRVING to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Estimates of Expenditure for 1861, a sum not exceeding £20,000, towards the improvement of the Navigation of the Clarence and Richmond Rivers.
6. Mr. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) Copies of all Correspondence between the Government and Mr. C. G. T. Chauvel, and any other person or persons, relative to the pre-emptive purchase, by Mr. Chauvel, of any portion of his Run known as Tabulam West, in the District of the Clarence River, including any report or communication from any Government Surveyor, having reference thereto.
  - (2.) Any Minute of the Executive Council, also having reference thereto.
  - (3.) A Return of the different Reserves within the same District, specifying by whom recommended, and the dates when they were respectively made and proclaimed.
  - (4.) A Tabular Return of all applications for the exercise of pre-emptive rights by any person or persons in the said District since the passing of the Orders in Council, specifying, in each case the applicant or applicants; the date of each application; the number of lots; the quantity, quality, and situation of the land applied for; whether or not application granted; the price per acre; when application granted; and the total quantity alienated in consequence of such applications.
7. Mr. WILSON to move, That the following Members be added to the University Committee;—Messrs. Arnold, Parkes, Forster, and Deniehy.
8. Mr. WALKER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return specifying names and addresses of all Justices of the Peace who have resigned their Commissions since the 1st October, 1857.
9. Mr. LUCAS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the amount paid to Officers of Customs for overtime, shewing the services, the date of such services, for which overtime has been paid, and the total sum paid to each Officer.
10. Mr. LUCAS to move, That this House do now resolve itself into a Committee of the whole, when the Mover will ask leave to introduce a Bill to regulate Chinese Immigration by Penalty and other Restrictions.
11. Mr. CUMMINGS to move,—
  - (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
  - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
12. Mr. JAMISON to move, That the 57th Standing Order be suspended, with a view to the presentation of a Petition for leave to bring in a Bill to confer certain powers on the Penrith Nepean Bridge Company.
13. Mr. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return, in a tabular form, shewing the names of all persons who have been concerned in the sale, measurement, or management, of Crown Lands, since the passing of the Lands Sale Act, 5 and 6 Victoria, Cap. 36, who have become purchasers of Crown Lands; the respective offices held by them; date of sale; quantity purchased; whether town, suburban, or country lots; the rate paid per acre; whether purchased by auction, or selected after sale; and lastly, the total amount of land so alienated, and the sum realized from the sales.
14. Mr. FAUCETT to move, That the second reading of the Common Law Procedure Act Extension Bill, which lapsed by the House being counted out on the 5th May, stand an Order of the Day for Tuesday next.

## ORDERS OF THE DAY:—

1. Lunacy Jurisdiction Amendment Bill; second reading.
2. Railway Works; Resumption of the Committee to take evidence on.
3. Town Hall Site Exchange Bill; second reading.
4. District Courts Act Amendment Bill; second reading.
5. Enforcement of Claims against the Crown Bill; second reading.
6. Seamen's Engagement Amendment Bill; consideration in Committee of Legislative Council's Amendments.
7. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
8. Affiliated Colleges Act Amendment Bill; second reading.
9. Necropolis Act Extension Bill; to be further considered in Committee.
10. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
11. Public Lands Bill; second reading.
12. Land Tax Bill; second reading.
13. Capital Punishments Abolition Bill; second reading.
14. Law of Primogeniture Abolition Bill; second reading.
15. Inquests concerning Fires Bill; second reading.
16. Sydney Council Debentures Bill; to be further considered in Committee.
17. Supreme Court Verdicts and Judgments Bill; second reading.
18. Commissioner at Newcastle Appointment Bill; second reading.
19. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
20. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
21. Consideration in Committee of Address for increase of Salary, to the Chief Clerk and Cashier in the Customs Department.
22. New Trials Bill; second reading.

## Questions:—

1. MR. CLEMENTS to ask THE HONORABLE THE PREMIER,—
  - (1.) If it has come to his knowledge, that great and unnecessary inconvenience is occasioned by delay of the working of the Punt at Emu Plains, the persons in charge refusing to work unless a sufficient number of vehicles are present to fill the Punt at one time?
  - (2.) If the Premier is aware that exorbitant charges are demanded, and if objected to, reduced?
  - (3.) If the Government have fixed a scale of charges, and if not, will they?
2. MR. HART to ask THE HONORABLE THE PREMIER,—
  - (1.) When the Blue Book for 1859 will be laid upon the Table of this House?
  - (2.) By what authority have the Blue Books laid upon the Table of the House in former years been removed?
3. MR. FORSTER to ask THE SECRETARY FOR LANDS,—
  - (1.) Has any opinion been obtained from the Law Officers with reference to an alleged obstruction by Alderman Northwood, of the public thoroughfare in Market-street?
  - (2.) What steps, if any, have been taken by the Government in the matter?
4. MR. FORSTER to ask THE SECRETARY FOR LANDS,—What determination, if any, has been arrived at by the Government with reference to the route by which the Gold is to be conveyed by Escort from the Kiandra Diggings to the Coast?
5. MR. GARRETT to ask THE HONORABLE THE PREMIER,—
  - (1.) Whether the Government are aware of the Metropolitan District Court Judge, Mr. Holroyd, having, on Tuesday last, adjourned the Court at half-past two o'clock for the purpose of attending the Half-yearly Meeting of the Mutual Provident Society, in which Public Company he was a Candidate for a Director?
  - (2.) If the Government have heard the report that such adjournment did take place, whether they have made any inquiry into the subject, or called upon Mr. Holroyd for an explanation?

WEDNESDAY, MAY 23.

## Contingent Notice of Motion:—

1. MR. MARTIN to move (on the Order of the Day being read for the Resumption of the Committee of Supply), That it be an instruction to the Committee to take into immediate consideration that portion of the proposed Estimates of Expenditure for the present year which refers to the granting of a Pension to the late Collector of Customs, Colonel Gibbes.

## GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. WEEKES to move for leave to bring in a Bill to enable the Government to raise Loans for certain Public Works, and to pay off Land and Immigration Debentures falling due in the year 1860.
2. MR. WEEKES to move for leave to bring in a Bill to appropriate and apply, out of the Consolidated Revenue Fund of New South Wales, certain sums to make good the Supplies granted for the Service of the Years 1859-60.

## ORDERS OF THE DAY:—

1. Ways and Means; Resumption of the Committee.
2. Supply; Resumption of the Committee.

FRIDAY, . . .

FRIDAY, MAY 25.

## OTHER BUSINESS—NOTICES OF MOTION:—

## 1. DR. LANG to move,—

(1.) That, in the opinion of this House, it is expedient and necessary that facilities should be afforded by the Executive for the establishment and maintenance of Grammar Schools, High Schools, or Academies, throughout the Colony, to afford a superior education to the youth of the middle classes of the community at a moderate expense, and to occupy an intermediate position between the common schools and the University.

(2.) That such facilities should be afforded on the following conditions, viz.:—

1. That wherever any portion of the inhabitants of any Town, or District, having a population of not fewer than four thousand souls, shall contribute not less than £2,000 for the establishment of a Grammar School, High School, or Academy, a sum equal to the amount contributed by the promoters of the undertaking shall be payable to the Trustees or other Managers of such Institution from the Public Treasury; provided that the buildings to be erected for such purpose shall be approved beforehand by the Educational Authorities of the Colony, and provided also that no higher amount than £5,000 shall be contributed in any instance by the Government.

2. That, provided the Educational Staff of any such Grammar School, High School, or Academy, shall comprise not fewer than four masters for the different branches of education to be taught in such school or academy; and provided that a regular *curriculum*, or course of study, extending over four years, shall be established in such Institution; and provided that there shall not be fewer than one hundred pupils or students in regular attendance, and that the school fees payable by each pupil or student shall not exceed £10 per annum, a yearly sum of £500 shall be payable to the Trustees from the Public Treasury, in the proportion of £200 to the head master, and £100 each to the other three.

3. That, provided that, during the first three years of any such Institution, the number of masters shall be smaller than four, and the number of pupils or students than one hundred, a proportionate amount of the said yearly allowance of £500, to be fixed by the Educational Authorities of the Colony shall be payable to the Trustees from the Public Treasury; but that such payment shall be discontinued at the close of the third year if the Institution shall then have fewer than four masters and one hundred pupils or students.

4. That a public examination shall be held annually, by Examiners duly appointed for the purpose, of all such pupils or students as may have completed their *curriculum* of four years; and that scholarships of from £20 to £50 a year—provided such scholarships are instituted by the Legislature, for the Grammar Schools or High Schools of the Colony generally—shall be awarded to the most deserving of such pupils or students as may be desirous of prosecuting their studies at the University.

2. MR. LAYCOCK to move, That the decision of this House, arrived at in April last, whereby the Gold Export Duty was repealed from and after the 31st December, 1860, be reconsidered, with a view to such repeal of Duty taking effect from and after the 30th June next.

3. MR. LORD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, with reference to the case of Mr. N. L. Kentish.

4. MR. SCOTT to move, That in consequence of the vast Immigration expected to take place next Spring to the Gold Fields of this Colony, it would, in the opinion of this House, be inexpedient for any adjournment to take place before a short Act has been passed to facilitate the Sale of Public Lands by free selection.

5. MR. FAUCETT to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, requesting His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the year 1860, the sum of £200, to be paid to the Jewish Minister resident in Sydney, in aid of the Stipend received by him from the Members of that Denomination.

## Question:—

## 1. MR. HART to ask THE SECRETARY FOR PUBLIC WORKS,—

(1.) To what Officer of the Government is entrusted the duty of ascertaining and of reporting to the Secretary for Public Works, the localities in which new Gaols, Watch-houses, Lock-ups, &c., are needed, and where repairs or other improvements are required in those already existing?

(2.) During the past year, (1859) or since, have any reports or communications been made to the Government by the Local Authorities, or from any other source, respecting the want of a new Gaol, Watch-house, or Lock-up, &c., or respecting the defective condition of any Gaol, Watch-house, or Lock-up, already existing in any part of the Colony, and if so, what is the specific purport of each several report or communication so made to the Government?

(3.) Have any steps been taken, and if not, are any, and what measures about to be adopted by the Government, to render the places of confinement above referred to more suitable for the safe custody of prisoners, without the infliction of unnecessary suffering on them, and better fitted by the essential requisites of a prison for the special exigencies of the several localities in which such places of confinement are situated?

T. A. MURRAY,  
Speaker.

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No. 100.

**VOTES AND PROCEEDINGS**

**OF THE**

**LEGISLATIVE ASSEMBLY.**

*TUESDAY, 22 MAY, 1860.*

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

Papers:—Mr. Robertson laid upon the Table the undermentioned papers:—

- (1.) List of Magistrates in Commission of the Peace for New South Wales.
- (2.) Return to an Order relative to Splitters' Licenses, made by this House, on motion of Mr. Laycock, on 10th February, 1860.
- (3.) Letter from Mr. W. R. Riley, relative to his appointment to the Commission of the Peace.
- (4.) Opinions given by the Crown Law Officers on the present tenure of the so-called Church and School Lands (being Return to an Address adopted, on the motion of Mr. Murray, on 7th October, 1859).
- (5.) Mr. Surveyor Rowland's Report of the Road leading from the navigable waters of the Shoalhaven to Goulburn (being Return to an Address adopted, on the motion of Mr. Garrett, on 28th February, 1860).

Ordered to be printed.

2. Fitz Roy Dry Dock:—Mr. Parkes, as Chairman, brought up the Report from, and laid upon the Table the Proceedings of, and Minutes of Evidence taken before, the Select Committee to whom, on the 10th April, 1860, was referred certain Petitions in reference to the Fitz Roy Dry Dock.

Ordered to be printed.

3. State Aid to Religion:—

(1.) Mr. Samuel presented a Petition, from certain Members of the Jewish Faith, residing in the City of Sydney, praying that the right of the Jewish Community may be asserted to a proportion of the sum reserved by the Constitution Act for Public Worship, and that the House will not assent to a proposal for placing upon the Supplementary Estimates the sum of £200, to be paid to the Jewish Minister resident in Sydney, in aid of the stipend received by him from the Members of that Denomination.

Petition received.

(2.) Mr. Faucett presented a Petition, from certain Members of the Hebrew Community, relative to the absence of any provision in the Estimates for the present year for the support of a Minister of Religion of the Jewish Faith in this City; and praying aid.

Petition received.

4. Condition of the Working Classes of the Metropolis:—Mr. Parkes (having addressed the House) proceeding to make the motion standing in his name No. 1 on the Notice Paper for to-day;—

5. Member Sworn:—Daniel Henry Deniehy, Esquire, having taken the Oath and subscribed the Roll, took his Seat as a Member for the Electoral District of East Macquarie.

6. Condition of the Working Classes of the Metropolis:—Mr. Parkes (after the interruption recorded in entry No. 5) moved, pursuant to notice, That this House, having had under its consideration the Social Condition of the Working Classes of this Metropolis, resolves as follows:—

(1.) That a Bill to promote the alienation of the Public Lands ought to be passed with the least possible delay, and that any such measure should provide the fullest facilities for the settlement of industrious families.

(2.) That a revision of the entire taxation of the Colony is necessary, and that in any such revision Revenue should be raised by the imposition of duties that would tend to foster manufacturing enterprise.

(3.) That the readjustment of the Revenue system of the Colony should include the introduction of the principles of direct taxation.

(4.) That a Bill should be passed to amend the law regulating the erection of dwelling-houses in the City of Sydney, so as to provide against the unhealthiness of tenements.

(5.)

- (5.) That the Government should offer awards, or take other steps to encourage the employment of capital in the erection of improved dwellings for the working classes.
- (6.) That a Government Health Officer ought to be appointed in the City of Sydney, having sanitary jurisdiction over other large towns.
- (7.) That a Bill should be passed to provide for the regulation of common lodging-houses.
- (8.) That a Nautical School, separate from other educational establishments, ought to be established in the Port of Sydney, in accordance with the recommendations of the Select Committee of the late Legislative Council.
- (9.) That it is necessary, in order to provide for the number of destitute Infant Children, that the Board of Directors should be assisted in enlarging the Asylum at Randwick.
- (10.) That it is expedient and necessary to establish a Government Reformatory for juvenile delinquents.
- (11.) That it is expedient that the Government should appoint Visiting Committees in all towns where prisons are established, to secure the better supervision and management of such prisons.
- (12.) That it is necessary that more effective means should be afforded by the Legislature for the suppression of brothels and other places of evil resort.
- (13.) That the Government should afford assistance, by which their labor would be turned to productive account, to those mechanics and laborers who are suffering severe privations from the want of employment.
- (14.) That the foregoing Resolutions be presented by Address to His Excellency the Governor General.

Debate ensued.

Mr. Forster moved the Previous Question.

Debate continued.

A Point of Order having arisen, as to whether it would be competent to put the Resolutions *seriatim*, in the event of the Previous Question being carried in the affirmative;—the Speaker ruled, that it would not be competent so to put the Resolutions,—the practice of Parliament being, according to all the authorities, that, if the Previous Question be put and resolved in the affirmative, the main Question must be put at once to the vote, without amendment, alteration, or debate.

Debate continued.

And the House continuing to sit until after Midnight,—

WEDNESDAY, 23 MAY, 1860. A. M.

Adjournment of the House :—Mr. Walker moved, That this House do now adjourn. Question put and negatived.

Adjournment of Debate :—Mr. Hart moved, That this Debate be adjourned until Tuesday next.

Question put and negatived.

Previous Question stated.

Debate continued.

Previous Question put,—That this Question be now put.

The House divided.

Ayes, 13.

Mr. Lucas,	Mr. Kemp,	} Tellers.
Mr. Windsoyer,	Rev. Dr. Lang,	
Mr. Parkes,	Mr. Lyons,	
Mr. Terry,	Mr. Cooper,	
Mr. Hoskins,		
Mr. Martin,		
Mr. McArthur,		
Mr. Black,		
Mr. Pemell,		

Noes, 17.

Mr. Robertson,	Mr. Laidlaw,	} Tellers.
Mr. Arnold,	Mr. Gordon,	
Mr. Weekes,	Mr. Dickson,	
Mr. Forster,	Mr. Gray,	
Mr. Hay,	Mr. Wilson,	
Mr. Piddington,	Mr. Broughton,	
Mr. Walker,	Mr. A. Campbell,	
Mr. Rotton,	Mr. Faucett,	
Mr. Russell,		

7. Mr. Lyons calling the attention of the House to an error which appears in the Votes and Proceedings No. 92, entry 4, of Tuesday, 8th May, in which the name of Mr. Hoskins appears in the Division List of the Tellers for the Ayes (*the same being a transcript of the original List as reported by the Tellers,*) instead of his own, and desiring that a record might be made thereof,—  
The Speaker directed that a record be made accordingly.
8. Mr. Parkes rising to present a Petition, and notice being taken that there was not a Quorum of Members present, the House was counted, and there being only sixteen Members present, exclusive of the Speaker, viz. :—Mr. Arnold, Mr. Black, Mr. Cooper, Mr. Hoskins, Mr. Kemp, Dr. Lang, Mr. Lucas, Mr. Lyons, Mr. Parkes, Mr. Pemell, Mr. Piddington, Mr. Robertson, Mr. Terry, Mr. Walker, Mr. Weekes, and Mr. Wilson,—  
The Speaker adjourned the House at a quarter-past One o'clock, A.M., until Three o'clock, P.M., this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, MAY 23.

*Contingent Notice of Motion :—*

1. MR. MARTIN to move (*on the Order of the Day being read for the Resumption of the Committee of Supply*), That it be an instruction to the Committee to take into immediate consideration that portion of the proposed Estimates of Expenditure for the present year which refers to the granting of a Pension to the late Collector of Customs, Colonel Gibbes.

## GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. WEEKES to move for leave to bring in a Bill to enable the Government to raise Loans for certain Public Works, and to pay off Land and Immigration Debentures falling due in the year 1860.
2. MR. WEEKES to move for leave to bring in a Bill to appropriate and apply, out of the Consolidated Revenue Fund of New South Wales, certain sums to make good the Supplies granted for the Service of the year 1859-60.
3. MR. WEEKES to move, That the Standing Orders be suspended on Friday next, so as to admit of a Bill to appropriate and apply out of the Consolidated Revenue Fund of New South Wales, certain sums to make good the Supplies granted for the Service of the year 1859-60, passing through all its remaining stages on that day.
4. MR. WEEKES to move, That the Standing Orders be suspended on Friday next, so as to admit of a Bill to enable the Government to raise Loans for certain Public Works, and to pay off Land and Immigration Debentures falling due in the year 1860, passing through all its remaining stages on that day.

## ORDERS OF THE DAY :—

1. Ways and Means; Resumption of the Committee.
2. Supply; Resumption of the Committee.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. SAMUEL to move, That the Petition from certain Members of the Jewish Faith, presented by him on the 22nd May, relative to State Aid to Religion, be printed.
2. MR. FAUCETT to move, That the Petition from certain Members of the Hebrew Community, presented by him on the 22nd May, relative to State Aid to Religion, be printed.
3. MR. PIDDINGTON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, an Account of the Receipts of the Consolidated Revenue Fund of the Colony of New South Wales (exclusive of the proceeds of Loans and Advances on account of Debentures); and also an Account of the Disbursements, including all sums paid under the authority of Schedules A, B, and C of the Constitution Act, and of other Acts of the Legislature, from the 1st January, 1859, to 31st December, 1859.
4. MR. LUCAS to move, That in the preparation of any future Estimate of the Public Expenditure, it is desirable that any Public Officer holding two or more distinct offices, the different offices, and the salaries attached to each office held by the said Officer, shall be set forth in the Estimate; and also, the length of service of each officer in the Public Service.
5. MR. DARVALL to move,—
  - (1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risks of trade, and gives undue encouragement to speculation and the extension of credit.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.
6. MR. DARVALL to move,—
  - (1.) That in order to expedite the adjustment of the joint Debt of New South Wales and Queensland, it is expedient to refer that question to the decision of Arbitrators, to be nominated by each Colony, with power to appoint an Umpire.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.
7. MR. CLARK IRVING to move, That this House will, on Wednesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Estimates of Expenditure for 1861, a sum not exceeding £20,000, towards the improvement of the Navigation of the Clarence and Richmond Rivers.
8. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) Copies of all Correspondence between the Government and Mr. C. G. T. Chauvel, and any other person or persons, relative to the pre-emptive purchase, by Mr. Chauvel, of any portion of his Run known as Tabulam West, in the District of the Clarence River, including any report or communication from any Government Surveyor, having reference thereto.

(2.)

- (2.) Any Minute of the Executive Council, also having reference thereto.
- (3.) A Return of the different Reserves within the same District, specifying by whom recommended, and the dates when they were respectively made and proclaimed.
- (4.) A Tabular Return of all applications for the exercise of pre-emptive rights by any person or persons in the said District since the passing of the Orders in Council, specifying in each case the applicant or applicants; the date of each application; the number of lots; the quantity, quality, and situation of the land applied for; whether or not application granted; the price per acre; when application granted; and the total quantity alienated in consequence of such applications.
9. MR. WILSON to move, That the following Members be added to the University Committee;—Messrs. Arnold, Parkes, Forster, and Deniehy.
10. MR. WALKER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return specifying names and addresses of all Justices of the Peace who have resigned their Commissions since the 1st October, 1857.
11. MR. LUCAS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the amount paid to Officers of Customs for overtime, shewing the services, the date of such services, for which overtime has been paid, and the total sum paid to each Officer.
12. MR. LUCAS to move, That this House do now resolve itself into a Committee of the whole, when the Mover will ask leave to introduce a Bill to regulate Chinese Immigration by Penalty and other Restrictions.
13. MR. CUMMINGS to move,—
  - (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
  - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
14. MR. JAMISON to move, That the 57th Standing Order be suspended, with a view to the presentation of a Petition for leave to bring in a Bill to confer certain powers on the Penrith Nepean Bridge Company.
15. MR. HARR to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return, in a tabular form, shewing the names of all persons who have been concerned in the sale, measurement, or management, of Crown Lands, since the passing of the Lands' Sale Act, 5 and 6 Victoria, Cap. 36, who have become purchasers of Crown Lands; the respective offices held by them; date of sale; quantity purchased; whether town, suburban, or country lots; the rate paid per acre; whether purchased by auction, or selected after sale; and lastly, the total amount of land so alienated, and the sum realized from the sales.
16. MR. FAUCETT to move, That the second reading of the Common Law Procedure Act Extension Bill, which lapsed by the House being counted out on the 5th May, stand an Order of the Day for Tuesday next.

#### ORDERS OF THE DAY:—

1. Lunacy Jurisdiction Amendment Bill; second reading.
2. Railway Works; Resumption of the Committee to take evidence on.
3. Town Hall Site Exchange Bill; second reading.
4. District Courts Act Amendment Bill; second reading.
5. Enforcement of Claims against the Crown Bill; second reading.
6. Seamen's Engagement Amendment Bill; consideration in Committee of Legislative Council's Amendments.
7. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
8. Affiliated Colleges Act Amendment Bill; second reading.
9. Necropolis Act Extension Bill; to be further considered in Committee.
10. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
11. Public Lands Bill; second reading.
12. Land Tax Bill; second reading.
13. Capital Punishments Abolition Bill; second reading.
14. Law of Primogeniture Abolition Bill; second reading.
15. Inquests concerning Fires Bill; second reading.
16. Sydney Council Debentures Bill; to be further considered in Committee.
17. Supreme Court Verdicts and Judgments Bill; second reading.
18. Commissioner at Newcastle Appointment Bill; second reading.
19. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
20. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
21. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
22. New Trials Bill; second reading.

Questions:—

*Questions :—*

1. MR. FORSTER *to ask* THE HONORABLE THE SECRETARY FOR LANDS,—
  - (1.) Has the Colonial Secretary written to the Returning Officer for the Electoral District of the Tumut, directing, notwithstanding the irregularities at the recent Election for Tumut, that a Poll should be held at Adelong, being a Poll subsequent to the day appointed for the general polling, and subsequent also to the day appointed for the return of the Writ for Tumut?
  - (2.) If the Colonial Secretary has so written, has the proceeding been taken on the advice of the Law Officer of the Crown?
  - (3.) If such proceeding has been taken, what day has been appointed for polling at Adelong—and has the same been proclaimed—or is it intended to proclaim the same in the usual way?
2. MR. HODGSON *to ask* THE HONORABLE THE PREMIER,—Whether it is the intention of the Government to take into their favorable consideration the Petition of James Boyle, presented to this House on the 27th April last?
3. MR. HODGSON *to ask* THE HONORABLE THE SECRETARY FOR PUBLIC WORKS,—
  - (1.) Whether the Government are aware that a Special Train took its departure from Sydney to Parramatta and back, on Saturday, May 12th; and, if so, under what circumstances?
  - (2.) Whether the Government are aware that this Special Train, on its return to Sydney, did not comply with the Rules laid down by the Railway Commissioners, by which all Special Trains are required to give way to the Daily or Ordinary Trains; but, in defiance of such Rules, continued on its course, causing a very narrow escape of a collision (in sight of the Homebush Station) with the Evening Mail Train, leaving Sydney at 5.45 P.M.
4. MR. GARRETT *to ask* THE HONORABLE THE PREMIER,—
  - (1.) Whether the Government are aware of the Metropolitan District Court Judge, Mr. Holroyd, having, on Tuesday, 15 May, adjourned the Court at half-past two o'clock for the purpose of attending the Half-yearly Meeting of the Mutual Provident Society, in which Public Company he was a Candidate for a Director?
  - (2.) If the Government have heard the report that such adjournment did take place, whether they have made any inquiry into the subject, or called upon Mr. Holroyd for an explanation?

## FRIDAY, MAY 25.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG *to move*,—
  - (1.) That, in the opinion of this House, it is expedient and necessary that facilities should be afforded by the Executive for the establishment and maintenance of Grammar Schools, High Schools, or Academies, throughout the Colony, to afford a superior education to the youth of the middle classes of the community at a moderate expense, and to occupy an intermediate position between the common schools and the University.
  - (2.) That such facilities should be afforded on the following conditions, viz. :—
    1. That wherever any portion of the inhabitants of any Town, or District, having
      - a population of not fewer than four thousand souls, shall contribute not less than £2,000 for the establishment of a Grammar School, High School, or Academy, a sum equal to the amount contributed by the promoters of the undertaking shall be payable to the Trustees or other Managers of such Institution from the Public Treasury; provided that the buildings to be erected for such purpose shall be approved beforehand by the Educational Authorities of the Colony, and provided also that no higher amount than £5,000 shall be contributed in any instance by the Government.
    2. That, provided the Educational Staff of any such Grammar School, High School, or Academy, shall comprise not fewer than four masters for the different branches of education to be taught in such school or academy; and provided that a regular curriculum, or course of study, extending over four years, shall be established in such Institution; and provided that there shall not be fewer than one hundred pupils or students in regular attendance, and that the school fees payable by each pupil or student shall not exceed £10 per annum, a yearly sum of £500 shall be payable to the Trustees from the Public Treasury, in the proportion of £200 to the head master, and £100 each to the other three.
    3. That, provided that, during the first three years of any such Institution, the number of masters shall be smaller than four, and the number of pupils or students than one hundred, a proportionate amount of the said yearly allowance of £500, to be fixed by the Educational Authorities of the Colony shall be payable to the Trustees from the Public Treasury; but that such payment shall be discontinued at the close of the third year if the Institution shall then have fewer than four masters and one hundred pupils or students.
    4. That a public examination shall be held annually, by Examiners duly appointed for the purpose, of all such pupils or students as may have completed their curriculum of four years; and that scholarships of from £20 to £50 a year—provided such scholarships are instituted by the Legislature, for the Grammar Schools or High Schools of the Colony generally—shall be awarded to the most deserving of such pupils or students as may be desirous of prosecuting their studies at the University.

2. MR. LAYCOCK to move, That the decision of this House, arrived at in April last, whereby the Gold Export Duty was repealed from and after the 31st December, 1860, be reconsidered, with a view to such repeal of Duty taking effect from and after the 30th June next.
3. MR. LORD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, with reference to the case of Mr. N. L. Kentish.
4. MR. SCOTT to move, That in consequence of the vast Immigration expected to take place next Spring to the Gold Fields of this Colony, it would, in the opinion of this House, be inexpedient for any adjournment to take place before a short Act has been passed to facilitate the Sale of Public Lands by free selection.
5. MR. FAUCETT to move, That this House, will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, requesting His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the year 1860, the sum of £200, to be paid to the Jewish Minister resident in Sydney, in aid of the Stipend received by him from the Members of that Denomination.

**Questions :—**

1. MR. HART to ask THE HONORABLE THE SECRETARY FOR PUBLIC WORKS,—
  - (1.) To what Officer of the Government is entrusted the duty of ascertaining and of reporting to the Secretary for Public Works, the localities in which new Gaols, Watch-houses, Lock-ups, &c., are needed, and where repairs or other improvements are required in those already existing?
  - (2.) During the past year, (1859) or since, have any reports or communications been made to the Government by the Local Authorities, or from any other source, respecting the want of a new Gaol, Watch-house, or Lock-up, &c., or respecting the defective condition of any Gaol, Watch-house, or Lock-up, already existing in any part of the Colony, and if so, what is the specific purport of each several report or communication so made to the Government?
  - (3.) Have any steps been taken, and if not, are any, and what measures about to be adopted by the Government, to render the places of confinement above referred to more suitable for the safe custody of prisoners, without the infliction of unnecessary suffering on them, and better fitted by the essential requisites of a prison for the special exigencies of the several localities in which such places of confinement are situate?
2. MR. EGAN to ask THE HONORABLE THE PREMIER,—
  - (1.) Whether the late Government placed any sum of money to the credit of the Benches at Moruya or Eden, or to the credit of any Committee, for the repair of the roads and bridges injured by the late floods in those Districts?
  - (2.) If not, does the present Government intend to give instructions, in order that the roads and bridges may be put in a proper state of repair?
3. MR. EGAN to ask THE HONORABLE THE PREMIER,—
  - (1.) Whether any Correspondence has been received from the Jury or any one of them, complaining of observations made by His Honor Mr. Justice Cary, at the late sitting at Eden, in a case of horse stealing?
  - (2.) Whether the Government called on Judge Cary respecting a letter which appeared in the Goulburn newspaper, signed by the Jury, setting forth the remarks of His Honor in addressing the prisoner previous to the passing of sentence upon him?
4. MR. WALKER to ask THE HONORABLE THE PREMIER,—What steps the Government intend to take with regard to those of the Police throughout the Colony who will necessarily be discharged in consequence of the reduction of their number by the Estimates for the present year; will the men receive three months' notice to leave, or will they be paid three months', or any compensation?

TUESDAY, MAY 29.

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. MR. HODGSON to move, That an Address be presented to the Governor General, transmitting a Copy of the Report and Evidence in the case of Mr. David Morris and others, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
2. MR. ALEXANDER CAMPBELL to move,—
  - (1.) That the Resolutions adopted by this House on the 22nd of February last, pledging the Colony of New South Wales to the payment of £75,000 per annum, for subsidising a Steam Postal Service *via* Panama, be now rescinded.
  - (2.) That in the opinion of this House, the Executive Government ought to take immediate steps, in co-operation with the other Australian Colonies, to put an end to the present expensive and unsatisfactory Postal Service to and from Suez, and to arrange for the establishment of a branch line of Mail Steamers to ply between Sydney and Ceylon.

T. A. MURRAY,  
*Speaker.*

No. 101.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

WEDNESDAY, 23 MAY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Yella Munda Lagoon:—Mr. Walker presented a Petition from certain landholders and farmers in Lower Richmond and Cornwallis, representing that they suffer great inconvenience by the filling up of the natural outlet for superfluous water from Yella Munda and other Lagoons to the Hawkesbury River; and praying relief.  
Petition received.
2. Paper:—Mr. Robertson laid upon the Table, a letter from Mr. W. E. Plunkett, (Secretary to the Crown Law Officers) to the Principal Under Secretary, relative to an alleged encroachment by Mr. William Northwood upon Market-street, near the entrance of the Pyrmont Bridge.  
Ordered to be printed.
3. Leave of Absence for one week granted to Mr. Wild, on motion of Mr. Clements.
4. William Jennett:—Mr. Parkes presented a Petition, signed by William Jennett, on behalf of certain Electors and Citizens of Sydney, complaining of certain alleged interruptions to the progress of a deputation of their body to the Legislative Assembly, by the Civic and Police authorities; and praying an investigation into the circumstances of the case.  
Petition received.
5. Postponements:—Mr. Weekes postponed the motions standing in his name Nos. 1, 2, 3, and 4, on the Notice Paper of Government Business for to-day, to follow consecutively the Order of the Day for the resumption of the Committee of Ways and Means.
6. Ways and Means:—On motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of Ways and Means.  
The Chairman reported progress, and obtained leave to sit again at a later hour of the day.
7. Assent to Bills:—The following Messages from His Excellency the Governor General received and read:—

(1.) Parramatta Water Protection Bill:—

W. DENISON,

Message No. 40.

Governor General.

A Bill, intituled "*An Act to protect from Pollution the Fresh Water collected for the supply of the Inhabitants of the Town and Suburbs of Parramatta*," as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,

Sydney, 23rd May, 1860.

(2.) Mount Keira Tramroad Bill:—

W. DENISON,

Message No. 41.

Governor General.

A Bill, intituled "*An Act to authorize the completion of a Tramroad from the Mount Keira Coal Mines to Wollongong Harbour*," as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,

Sydney, 23rd May, 1860.

8. Ways and Means :—On motion of Mr. Weekes, the Committee resumed.

The Chairman reported the following Resolutions :—

(10.) Resolved, that towards making good the Supply granted to Her Majesty for the Service of the year 1860, the further sum of £100,971 2s. 2d., be granted out of the Consolidated Revenue Fund of New South Wales.

(11.) Resolved, that towards making good the Supply granted to Her Majesty during the present Session, a further sum not exceeding £113,592, be raised by the Sale of Debentures, secured upon the Consolidated Revenue Fund of New South Wales, and bearing interest at a rate not exceeding 5 per centum per annum, to defray the cost of certain Public Works, and to pay off certain Land and Immigration Debentures falling due in 1860.

Whereupon Mr. Weekes moved, That this House do now adopt these Resolutions.

Question put and passed.

9. Public Loan Bill, 1860 :—Mr. Weekes moved, pursuant to notice, for leave to bring in a Bill to enable the Government to raise Loans for certain Public Works, and to pay off Land and Immigration Debentures falling due in the year 1860.

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

10. Appropriation Bill for 1859-60 :—Mr. Weekes moved, pursuant to notice, for leave to bring in a Bill to appropriate and apply, out of the Consolidated Revenue Fund of New South Wales, certain sums to make good the Supplies granted for the Service of the year 1859-60.

Debate ensued.

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

11. Public Loan Bill, 1860 :—Mr. Weekes having presented this Bill, Bill, intituled "*A Bill to enable the Government to raise Loans for certain Public Works, and to pay off certain Land and Immigration Debentures falling due in 1860,*" read a first time.

Mr. Weekes then moved, That this Bill be printed, and that its second reading stand an Order of the Day for Friday next, "to take precedence of all other business on the Paper."

Mr. Martin moved, That the Question be amended, by the omission of the words, "to take precedence of all other business on the Paper."

Debate ensued.

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

The House divided.

#### Ayes, 21.

Mr. Robertson,	Mr. Irving,	
Mr. Weekes,	Mr. Hoskins,	
Mr. Gordon,	Mr. Pennell,	
Mr. Dickson,	Mr. Flett,	
Mr. Close,	Mr. Atkinson,	
Mr. Terry,	Mr. Laycock,	
Mr. Farnell,	Mr. Broughton,	
Mr. Kemp,	Mr. Rotton,	
Mr. Laidlaw,	Mr. Garrett,	} Tellers.
Mr. Piddington,	Mr. Blake,	
Mr. McArthur,		

#### Noes, 15.

Mr. A. Campbell,	Mr. Forster,	
Mr. Wilson,	Mr. Darvall,	
Mr. Cummings,	Mr. Samuel,	} Tellers.
Mr. Lucas,	Mr. Nott,	
Mr. Martin,		
Mr. Egan,		
Mr. Macleay,		
Mr. Walker,		
Mr. Doniehy,		
Mr. Black,		
Mr. Parkes,		

Whereupon Original Question put and passed.

12. Appropriation Bill for 1859-60 :—Mr. Weekes having presented this Bill, Bill, intituled "*A Bill to appropriate and apply, out of the Consolidated Revenue Fund of New South Wales, certain sums to make good the Supplies granted for the Service of the year 1859-60,*" read a first time,—

Mr. Weekes then moved, That this Bill be printed, and that its second reading stand an Order of the Day for Friday next, to take precedence next after the Public Loan Bill, 1860.

Question put and passed.

13. Proposed Suspension of Standing Orders :—Mr. Weekes moved, pursuant to notice, That the Standing Orders be suspended on Friday next, so as to admit of a Bill to appropriate and apply, out of the Consolidated Revenue Fund of New South Wales, certain sums to make good the Supplies granted for the Service of the year 1859-60, passing through all its remaining stages on that day.

Debate ensued.

Question put.

The House divided.

#### Ayes, 19.

Mr. Weekes,	Mr. Hoskins,	
Mr. Robertson,	Mr. Laycock,	
Mr. Arnold,	Mr. Pennell,	
Mr. Blake,	Rev. Dr. Lang,	
Mr. Terry,	Mr. Rotton,	
Mr. Kemp,	Mr. Garrett,	
Mr. Close,	Mr. Gordon,	} Tellers.
Mr. Atkinson,	Mr. Dickson,	
Mr. Flett,		
Mr. Laidlaw,		
Mr. McArthur,		

#### Noes, 21.

Mr. Hamilton,	Mr. Martin,	
Mr. Clements,	Mr. Parkes,	
Mr. Samuel,	Mr. Farnoll,	
Mr. Denlehy,	Mr. Wilson,	
Mr. Hay,	Mr. Cummings,	
Mr. Macleay,	Mr. Walker,	
Mr. Darvall,	Mr. Broughton,	
Mr. Faucett,	Mr. Hodgson,	
Mr. Lucas,	Mr. A. Campbell,	} Tellers.
Mr. Nott,	Mr. Black,	
Mr. Forster,		



14. Motion withdrawn :—Mr. Weekes withdrew the motion standing in his name, No. 4 on the Notice Paper of Government Business for to-day.
15. Supply :—On the Order of the day being read for the resumption of the Committee of Supply,—
- (1.) Mr. Martin withdrew the Contingent Notice standing in his name on the Paper for to-day.
  - (2.) Mr. Weekes then moved, That this Order of the Day be discharged from the Paper.
- Question put and passed
16. The Speaker reported the following Messages from the Legislative Council :—
- (1.) Additional Judge's Appointment Bill :—  
MR. SPEAKER,  
The Legislative Council having this day passed a Bill, intituled "*An Act to authorize the appointment of an Additional Judge of the Supreme Court of New South Wales*," presents the same to the Legislative Assembly for its concurrence.  
W. W. BURTON,  
Legislative Council Chamber,  
Sydney, 23rd May, 1860.  
President.
- Bill, on motion of Mr. Darvall, read a first time ; ordered to be printed, and read a second time on Tuesday next.
- (2.) Lien on Wool Act Continuation Bill :—  
MR. SPEAKER,  
The Legislative Council has this day agreed to the Bill, returned herewith, intituled, "*An Act to make permanent the Lien on Wool Act*," with the Amendments indicated by the accompanying Schedule, in which Amendments the Council requests the concurrence of the Legislative Assembly.  
W. W. BURTON,  
Legislative Council Chamber,  
Sydney, 23rd May, 1860.  
President.
- Mr. A. Campbell moved, That the consideration in Committee of the Amendments made by the Legislative Council in this Bill, stand an Order of the Day for Tuesday next.
- Question put and passed.
- (3.) Wesley College Bill :—  
MR. SPEAKER,  
The Legislative Council having this day agreed to the Bill, intituled "*An Act to Incorporate Wesley College as a College within the University of Sydney*," returns the same to the Legislative Assembly without amendment.  
W. W. BURTON,  
Legislative Council Chamber,  
Sydney, 23rd May, 1860.  
President.
17. State Aid to Religion :—
- (1.) Mr. Samuel moved, pursuant to notice, That the Petition from certain Members of the Jewish Faith, presented by him on the 22nd May, relative to State Aid to Religion, be printed.  
Question put and passed.  
Ordered to be printed.
  - (2.) Mr. Fancett moved, pursuant to notice, That the Petition from certain Members of the Hebrew Community, presented by him on the 22nd May, relative to State Aid to Religion, be printed.  
Question put and passed.  
Ordered to be printed.
18. Consolidated Revenue Fund, Receipts and Disbursements :—Mr. Piddington moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, an Account of the Receipts of the Consolidated Revenue Fund of the Colony of New South Wales (exclusive of the proceeds of Loans and Advances on account of Debentures); and also an Account of the Disbursements, including all sums paid under the authority of Schedules A, B, and C of the Constitution Act, and of other Acts of the Legislature, from the 1st January, 1859, to 31st December, 1859.  
Question put and passed.
19. Public Officers holding Plurality of Offices :—Mr. Lucas moved, pursuant to amended notice, That in the preparation of any future Estimate of the Public Expenditure, it is desirable that any Public Officer holding two or more distinct offices, the different offices, and the salaries attached to each office held by the said Officer, shall be set forth in the Estimate.  
Debate ensued.  
Question put and passed.
20. Lending Public Money at Interest :—Mr. Darvall moved, pursuant to notice,—
- (1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risks of trade, and gives undue encouragement to speculation and the extension of credit.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.
- Debate ensued.

And the House continuing to sit till after Midnight,—

THURSDAY, 21 MAY, 1860. A.M.

Motion made by Mr. Forster, and Question put, That this Debate be now adjourned until Friday next.

Question put and passed.

The House adjourned, on motion of Mr. Robertson, at twenty minutes after Twelve o'clock, A.M., until Friday next, at Three o'clock, P.M.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, MAY 25.

### GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Public Loan Bill ; second reading.
2. Appropriation Bill ; second reading.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. DR. LANG to move,—
  - (1.) That, in the opinion of this House, it is expedient and necessary that facilities should be afforded by the Executive for the establishment and maintenance of Grammar Schools, High Schools, or Academics, throughout the Colony, to afford a superior education to the youth of the middle classes of the community at a moderate expense, and to occupy an intermediate position between the common schools and the University.
  - (2.) That such facilities should be afforded on the following conditions, viz.:—
    1. That wherever any portion of the inhabitants of any Town, or District, having a population of not fewer than four thousand souls, shall contribute not less than £2,000 for the establishment of a Grammar School, High School, or Academy, a sum equal to the amount contributed by the promoters of the undertaking shall be payable to the Trustees or other Managers of such Institution from the Public Treasury; provided that the buildings to be erected for such purpose shall be approved beforehand by the Educational Authorities of the Colony, and provided also that no higher amount than £5,000 shall be contributed in any instance by the Government.
    2. That, provided the Educational Staff of any such Grammar School, High School, or Academy, shall comprise not fewer than four masters for the different branches of education to be taught in such school or academy; and provided that a regular curriculum, or course of study, extending over four years, shall be established in such Institution; and provided that there shall not be fewer than one hundred pupils or students in regular attendance, and that the school fees payable by each pupil or student shall not exceed £10 per annum, a yearly sum of £500 shall be payable to the Trustees from the Public Treasury, in the proportion of £200 to the head master, and £100 each to the other three.
    3. That, provided that, during the first three years of any such Institution, the number of masters shall be smaller than four, and the number of pupils or students than one hundred, a proportionate amount of the said yearly allowance of £500, to be fixed by the Educational Authorities of the Colony shall be payable to the Trustees from the Public Treasury; but that such payment shall be discontinued at the close of the third year if the Institution shall then have fewer than four masters and one hundred pupils or students.
    4. That a public examination shall be held annually, by Examiners duly appointed for the purpose, of all such pupils or students as may have completed their curriculum of four years; and that scholarships of from £20 to £50 a year—provided such scholarships are instituted by the Legislature, for the Grammar Schools or High Schools of the Colony generally—shall be awarded to the most deserving of such pupils or students as may be desirous of prosecuting their studies at the University.
2. MR. LAYCOCK to move, That the decision of this House, arrived at in April last, whereby the Gold Export Duty was repealed from and after the 31st December, 1860, be reconsidered, with a view to such repeal of Duty taking effect from and after the 30th June next.
3. MR. LORD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, with reference to the case of Mr. N. L. Kentish.
4. MR. SCOTT to move, That in consequence of the vast Immigration expected to take place next Spring to the Gold Fields of this Colony, it would, in the opinion of this House, be inexpedient for any adjournment to take place before a short Act has been passed to facilitate the Sale of Public Lands by free selection.

## 5.

5. MR. FAUCETT to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, requesting His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the year 1860, the sum of £200, to be paid to the Jewish Minister resident in Sydney, in aid of the Stipend received by him from the Members of that Denomination.
6. MR. WALKER to move, That the Petition from certain landholders and others in the Districts of Lower Richmond and Cornwallis, presented by him on the 23rd May, be printed.
7. MR. CUMMINGS to move, That this House will on Tuesday next, resolve itself into a Committee of the Whole to consider of an Address to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be placed on a Supplementary Estimate, the following sums, viz:—£6,000 for the erection of a Bridge across the Lachlan River, at or near Nanamai; £300 for the erection of a Bridge across Eugowra Creek, at or near its junction with the Lachlan River; £300 for the erection of a Bridge across Belubula Creek, where main road from Bathurst crosses said Creek; and £300 for the erection of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala, Turon.
8. MR. PARKES to move, That this House will on Tuesday next, resolve itself into a Committee of the Whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1861, a sum of money not exceeding £8,000, towards the completion of the Asylum for Destitute Children at Randwick.
9. MR. CUMMINGS to move, That the following Members be added to the Committee on the Condition of the Bathurst Road, in place of Mr. Hawkins, resigned, and Mr. Wisdom, absent:—Mr. Lucas, and Mr. Deniehy.
10. MR. PARKES to move, That the Petition of William Jennett, presented by him on the 23rd May, be printed.
11. MR. DARVALL to move,—
  - (1.) That in order to expedite the adjustment of the joint Debt of New South Wales and Queensland, it is expedient to refer that question to the decision of Arbitrators, to be nominated by each Colony, with power to appoint an Umpire.
  - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.
12. MR. CLARK IRVING to move, That this House will, on Wednesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Estimates of Expenditure for 1861, a sum not exceeding £20,000, towards the improvement of the Navigation of the Clarence and Richmond Rivers.
13. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) Copies of all Correspondence between the Government and Mr. C. G. T. Chauvel, and any other person or persons, relative to the pre-emptive purchase, by Mr. Chauvel, of any portion of his Run known as Tabulam West, in the District of the Clarence River, including any report or communication from any Government Surveyor, having reference thereto.
  - (2.) Any Minute of the Executive Council, also having reference thereto.
  - (3.) A Return of the different Reserves within the same District, specifying by whom recommended, and the dates when they were respectively made and proclaimed.
  - (4.) A Tabular Return of all applications for the exercise of pre-emptive rights by any person or persons in the said District since the passing of the Orders in Council, specifying in each case the applicant or applicants; the date of each application; the number of lots; the quantity, quality, and situation of the land applied for; whether or not application granted; the price per acre; when application granted; and the total quantity alienated in consequence of such applications.
14. MR. WILSON to move, That the following Members be added to the University Committee:—Messrs. Arnold, Parker, Forster, and Deniehy.
15. MR. WALKER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return specifying names and addresses of all Justices of the Peace who have resigned their Commissions since the 1st October, 1857.
16. MR. LUCAS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the amount paid to Officers of Customs for overtime, shewing the services, the date of such services, for which overtime has been paid, and the total sum paid to each Officer.
17. MR. LUCAS to move, That this House do now resolve itself into a Committee of the Whole, when the Mover will ask leave to introduce a Bill to regulate Chinese Immigration by Penalty and other Restrictions.
18. MR. CUMMINGS to move,—
  - (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
  - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.

19. MR. JAMISON to move, That the 57th Standing Order be suspended, with a view to the presentation of a Petition for leave to bring in a Bill to confer certain powers on the Pourith Nepean Bridge Company.
20. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return, in a tabular form, shewing the names of all persons who have been concerned in the sale, measurement, or management, of Crown Lands, since the passing of the Lands' Sale Act, 5 and 6 Victoriae, Cap. 36, who have become purchasers of Crown Lands; the respective offices held by them; date of sale; quantity purchased; whether town, suburban, or country lots; the rate paid per acre; whether purchased by auction, or selected after sale; and lastly, the total amount of land so alienated, and the sum realized from the sales.
21. MR. FAUCETT to move, That the second reading of the Common Law Procedure Act Extension Bill, which lapsed by the House being counted out on the 5th May, stand an Order of the Day for Tuesday next.

ORDERS OF THE DAY:—

1. Resumption of the adjourned Debate on Mr. Daryall's motion,—  
 “(1.) That the practice of lending the Public Money at Interest is dangerous and  
 “impolitic, because it exposes the Public Property to the risks of trade, and gives undue  
 “encouragement to speculation and the extension of credit.  
 “(2.) That the foregoing Resolution be communicated by Address to His Excellency  
 “the Governor General.”
2. Lunacy Jurisdiction Amendment Bill; second reading.
3. Railway Works; Resumption of the Committee to take evidence on.
4. Town Hall Site Exchange Bill; second reading.
5. District Courts Act Amendment Bill; second reading.
6. Enforcement of Claims against the Crown Bill; second reading.
7. Seamen's Engagement Amendment Bill; consideration in Committee of Legislative Council's Amendments.
8. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
9. Affiliated Colleges Act Amendment Bill; second reading.
10. Necropolis Act Extension Bill; to be further considered in Committee.
11. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
12. Public Lands Bill; second reading.
13. Land Tax Bill; second reading.
14. Capital Punishments Abolition Bill; second reading.
15. Law of Primogeniture Abolition Bill; second reading.
16. Inquests concerning Fires Bill; second reading.
17. Sydney Council Debentures Bill; to be further considered in Committee.
18. Supreme Court Verdicts and Judgments Bill; second reading.
19. Commissioner at Newcastle Appointment Bill; second reading.
20. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
21. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
22. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
23. New Trials Bill; second reading.

Questions:—

1. MR. HART to ask THE SECRETARY FOR PUBLIC WORKS,—  
 (1.) To what Officer of the Government is entrusted the duty of ascertaining and of reporting to the Secretary for Public Works, the localities in which new Gaols, Watch-houses, Lock-ups, &c., are needed, and where repairs or other improvements are required in those already existing?  
 (2.) During the past year (1859) or since, have any reports or communications been made to the Government by the Local Authorities, or from any other source, respecting the want of a new Gaol, Watch-house, or Lock-up, &c., or respecting the defective condition of any Gaol, Watch-house, or Lock-up, already existing in any part of the Colony, and if so, what is the specific purport of each several report or communication so made to the Government?  
 (3.) Have any steps been taken, and if not, are any, and what measures about to be adopted by the Government, to render the places of confinement above referred to more suitable for the safe custody of prisoners, without the infliction of unnecessary suffering on them, and better fitted by the essential requisites of a prison for the special exigencies of the several localities in which such places of confinement are situated?
2. MR. EGAN to ask THE HONORABLE THE PREMIER,—  
 (1.) Whether the late Government placed any sum of money to the credit of the Benches at Moruya or Eden, or to the credit of any Committee, for the repair of the roads and bridges injured by the late floods in those Districts?  
 (2.) If not, does the present Government intend to give instructions, in order that the roads and bridges may be put in a proper state of repair?
3. MR. EGAN to ask THE HONORABLE THE PREMIER,—  
 (1.) Whether any Correspondence has been received from the Jury or any one of them, complaining of observations made by His Honor Mr. Justice Cary, at the late sitting at Eden, in a case of horse stealing?  
 (2.)

- (2.) Whether the Government called on Judge Cary respecting a letter which appeared in the Goulburn newspaper, signed by the Jury, setting forth the remarks of His Honor in addressing the prisoner previous to the passing of sentence upon him?
4. **MR. WALKER** to ask **THE HONORABLE THE PREMIER**,—What steps the Government intend to take with regard to those of the Police throughout the Colony who will necessarily be discharged in consequence of the reduction of their number by the Estimates for the present year; will the men receive three months' notice to leave, or will they be paid three months', or any compensation?
5. **MR. HOSKINS** to ask **THE SECRETARY FOR LANDS**,—Whether the Government intend to grant any pecuniary allowance to the widow and family of Alexander McGee, late Inspector of Police, recently deceased, who died from the effects of a wound received in the execution of his duty?
6. **MR. HOSKINS** to ask **THE SECRETARY FOR LANDS**,—When the Government will be prepared to place upon the Table of this House, a Return moved for by Mr. Hoskins, on the 7th of February, with reference to the exercise of the pre-emptive right since the inauguration of Responsible Government?
7. **MR. DENIEHY** to ask **THE SECRETARY FOR LANDS**,—  
 (1.) If the inquiry instituted by the Government into recent conduct of the Clerk of Petty Sessions at Berrima has been closed by the Officer appointed to inquire?  
 (2.) And if it has been closed, when the Government will be prepared to lay a copy of the Report upon the Table of this House?

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TUESDAY, MAY 29.

OTHER BUSINESS—NOTICES OF MOTION:—

1. **MR. HODGSON** to move, That an Address be presented to the Governor General, transmitting a Copy of the Report and Evidence in the case of Mr. David Morris and others, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
2. **MR. ALEXANDER CAMPBELL** to move,—  
 (1.) That the Resolutions adopted by this House on the 22nd of February last, pledging the Colony of New South Wales to the payment of £75,000 per annum, for subsidising a Steam Postal Service *via* Panama, be now rescinded.  
 (2.) That in the opinion of this House, the Executive Government ought to take immediate steps, in co-operation with the other Australian Colonies, to put an end to the present expensive and unsatisfactory Postal Service to and from Suez, and to arrange for the establishment of a branch line of Mail Steamers to ply between Sydney and Ceylon.

ORDERS OF THE DAY:—

1. Additional Judge's Appointment Bill; second reading.
2. Lien on Wool Act Continuation Bill; consideration in Committee of Legislative Council's Amendments.

T. A. MURRAY,  
Speaker.



No. 102.

VOTES AND PROCEEDINGS.

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 25 MAY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Maitland Pasturage Reserve:—Mr. Dickson, as Chairman, brought up the Report from, and laid upon the Table the Proceedings of, and Minutes of Evidence taken before, the Select Committee, appointed, on the 16th February last, on the Maitland Pasturage Reserve.  
Ordered to be printed.
2. Pitt-street Tramway Bill:—Mr. Brughton, as Chairman, brought up the Report from, and laid upon the Table the Proceedings of, and Minutes of Evidence taken before, the Select Committee, for whose consideration and report this Bill was referred, on the 20th September last.  
Ordered to be printed.
3. Public Loan Bill, 1860:—Mr. Weekes 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. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration thereof.  
The Chairman having reported the Bill with an amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time on Tuesday next—taking precedence of all other Business on the Paper for that day.
4. Appropriation Bill for 1859-60, on motion of Mr. Weekes, read a second time.  
Whereupon, on motion of Mr. Weekes, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill.  
The Chairman having reported the Bill without amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time on Tuesday next—taking precedence next after the Order of the Day for the third reading of the Public Loan Bill, 1860.
5. Postponement:—Dr. Lang *amended* and postponed the motion standing in his name No. 1 on the Notice Paper for to-day, until Friday next.
6. Motion withdrawn:—Mr. Laycock withdrew the motion standing in his name No. 2 on the Notice Paper for to-day.
7. Postponement:—Mr. Forster postponed the motion standing in the name of Mr. Lord, No. 3 on the Notice Paper for to-day, until Tuesday next.
8. Motion dropped:—Mr. Scott not making the motion standing in his name, No. 4 on the Notice Paper for to-day, it dropped.
9. Proposed Stipend to Jewish Minister:—Mr. Faucett moved, pursuant to *amended* notice, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, requesting His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the year 1860, the sum of £200, to be paid to the Jewish Minister resident in Sydney, in aid of the Stipend received by him from the Members of that Denomination.  
Debate ensued.  
Question put.  
The House divided.

Ayes, 9.

Mr. Mort,  
Mr. Faucett,  
Mr. Darvall,  
Mr. Droughton,  
Mr. Irving,  
Mr. Cummings,  
Mr. Kemp,  
Mr. Egan,  
Mr. Jenkins, } Tellers.

Noes, 22.

Mr. Robertson, Mr. Rotton,  
Mr. Weekes, Mr. Forster,  
Mr. Dickson, Mr. Wilson,  
Mr. McArthur, Mr. Gray,  
Mr. Parkes, Mr. Lucas,  
Mr. Hart, Mr. Piddington,  
Mr. Farnell, Mr. Black,  
Mr. Gordon, Rev. Dr. Lang,  
Mr. Atkinson, Mr. Arnold,  
Mr. Blake, Mr. Garrett, } Tellers.  
Mr. Huskins, Mr. Windoyer, }

40. Newcastle Wallsend Coal Company's Railway Bill :—The Speaker reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill returned herewith, intituled, "*An Act to enable certain persons carrying on business at Sydney under the name or style of 'The Newcastle Wallsend Coal Company' to construct a Railway from land near Newcastle belonging to them to and to connect the same with the Great Northern Railway,*" with the Amendments indicated by the accompanying Schedule, in which Amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,

Sydney, 25th May, 1860.

W. W. BURTON,

President.

Mr. Hart moved, That the consideration in Committee of the Amendments made by the Legislative Council in this Bill stand an Order of the Day for Tuesday next.

Question put and passed.

11. Yella Munda Lagoon :—Mr. Piddington moved, pursuant to notice standing in the name of Mr. Walker, That the Petition from certain landholders and others in the Districts of Lower Richmond and Cornwallis, presented by Mr. Walker on the 23rd May, be printed.

Question put and passed.

Ordered to be printed.

12. Postponement :—Mr. Cummings postponed the motion standing in his name No. 7 on the Notice Paper for to-day, until Tuesday next.

13. Asylum for Destitute Children :—Mr. Parkes moved, pursuant to notice, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1861, a sum of money not exceeding £8,000, towards the completion of the Asylum for Destitute Children at Randwick.

Debate ensued.

Question put and passed.

14. Condition of the Bathurst Road :—Mr. Cummings moved, pursuant to amended notice, That the following Member be added to the Committee on the Condition of the Bathurst Road, in place of Mr. Hawkins, resigned, namely, Mr. Deniehy.

Question put and passed.

15. William Jennett :—Mr. Parkes moved, pursuant to notice, That the Petition of William Jennett, presented by him on the 23rd May, be printed.

Question put and passed.

Ordered to be printed.

16. Division of Public Debt between Queensland and New South Wales :—Mr. Darvall moved, pursuant to notice :—

(1.) That in order to expedite the adjustment of the joint Debt of New South Wales and Queensland, it is expedient to refer that question to the decision of Arbitrators, to be nominated by each Colony, with power to appoint an Umpire.

(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.

Debate ensued.

Motion by leave withdrawn.

17. Improvement of the Clarence and Richmond Rivers :—Mr. Clark Irving moved, pursuant to amended notice, That this House will, on Wednesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Estimates of Expenditure for 1861, a sum not exceeding £20,000, towards the improvement of the Navigation of the Clarence and Richmond Rivers, or such other sum as may be found necessary after the surveys of these two rivers have been finished.

Debate ensued.

Question put and passed.

18. Adjournment :—Mr. Robertson moved, That this House do now adjourn until "Three" o'clock, on Tuesday next.

Mr. Darvall moved, That the Question be amended, by the omission of the word "Three," with a view to the insertion in its place of the word "Seven."

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

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

The House divided.

Ayes, 18.

Noes, 4.

Mr. Arnold,	Mr. Hoskins,	
Mr. Weekes,	Mr. Darvall,	
Mr. Robertson,	Mr. Piddington,	
Mr. Black,	Mr. Faucett,	
Mr. Wilson,	Mr. Roberts,	
Mr. Irving,	Mr. Pemell,	
Mr. Dickson,	Mr. Gordon,	
Mr. Parkes,	Mr. A. Campbell,	} Tellers.
Mr. Kemp,	Mr. Hart,	

Rev. Dr. Lang,	
Mr. McArthur,	
Mr. Lucas,	} Tellers.
Mr. Forster,	

Whereupon Question,—That this House do now adjourn until Seven o'clock on Tuesday next,—put and passed.

The House adjourned accordingly, at ten minutes after Ten o'clock, until Tuesday next, at Seven o'clock.



## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, MAY 29.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Public Loan Bill, 1860; third reading.
2. Appropriation Bill for 1859-60; third reading.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. HODGSON to move, That an Address be presented to the Governor General, transmitting a Copy of the Report and Evidence in the case of Mr. David Morris and others, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
2. MR. ALEXANDER CAMPBELL to move,—
  - (1.) That the Resolutions adopted by this House on the 22nd of February last, pledging the Colony of New South Wales to the payment of £75,000 per annum, for subsidising a Steam Postal Service *via* Panama, be now rescinded.
  - (2.) That in the opinion of this House, the Executive Government ought to take immediate steps, in co operation with the other Australian Colonies, to put an end to the present expensive and unsatisfactory Postal Service to and from Suez, and to arrange for the establishment of a branch line of Mail Steamers to ply between Sydney and Ceylon.
3. MR. LOND to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, with reference to the case of Mr. N. L. Kentish.
4. MR. CUMMINGS to move, That this House will on Tuesday next, resolve itself into a Committee of the Whole to consider of an Address to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be placed on a Supplementary Estimate, the following sums, viz:—£6,000 for the erection of a Bridge across the Lachlan River, at or near Nanamai; £300 for the erection of a Bridge across Eugowra Creek, at or near its junction with the Lachlan River; £300 for the erection of a Bridge across Belubula Creek, where main road from Bathurst crosses said Creek; and £300 for the erection of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala, Turon.
5. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) Copies of all Correspondence between the Government and Mr. C. G. T. Chauvel, and any other person or persons, relative to the pre-emptive purchase, by Mr. Chauvel, of any portion of his Run known as Tabulam West, in the District of the Clarence River, including any report or communication from any Government Surveyor, having reference thereto.
  - (2.) Any Minute of the Executive Council, also having reference thereto.
  - (3.) A Return of the different Reserves within the same District, specifying by whom recommended, and the dates when they were respectively made and proclaimed.
  - (4.) A Tabular Return of all applications for the exercise of pre-emptive rights by any person or persons in the said District since the passing of the Orders in Council, specifying in each case the applicant or applicants; the date of each application; the number of lots; the quantity, quality, and situation of the land applied for; whether or not application granted; the price per acre; when application granted; and the total quantity alienated in consequence of such applications.
6. MR. WILSON to move, That the following Members be added to the University Committee:—Messrs. Arnold, Parker, Forster, and Denichy.
7. MR. WALKER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return specifying names and addresses of all Justices of the Peace who have resigned their Commissions since the 1st October, 1857.
8. MR. LUCAS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the amount paid to Officers of Customs for overtime, showing the services, the date of such services, for which overtime has been paid, and the total sum paid to each Officer.
9. MR. LUCAS to move, That this House do now resolve itself into a Committee of the Whole, when the Mover will ask leave to introduce a Bill to regulate Chinese Immigration by Penalty and other Restrictions.
10. MR. CUMMINGS to move,—
  - (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
  - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.

11. MR. JAMISON to move, That the 57th Standing Order be suspended, with a view to the presentation of a Petition for leave to bring in a Bill to confer certain powers on the Penrith Nepean Bridge Company.
12. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return, in a tabular form, shewing the names of all persons who have been concerned in the sale, measurement, or management, of Crown Lands, since the passing of the Lands Sale Act, 5 and 6 Victoria, Cap. 36, who have become purchasers of Crown Lands; the respective offices held by them; date of sale; quantity purchased; whether town, suburban, or country lots; the rate paid per acre; whether purchased by auction, or selected after sale; and lastly, the total amount of land so alienated, and the sum realized from the sales.
13. MR. FAUCETT to move, That the second reading of the 'Common Law Procedure Act Extension Bill,' which lapsed by the House being counted out on the 5th May, stand an Order of the Day for Tuesday next.

ORDERS OF THE DAY:—

1. Additional Judge's Appointment Bill; second reading.
2. Lien on Wool Act Continuation Bill; consideration in Committee of Legislative Council's Amendments.
3. Newcastle Wallsend Coal Company's Railway Bill; consideration in Committee of Legislative Council's Amendments.
4. Consideration in Committee of Address for £8,000 towards the completion of the Asylum for Destitute Children at Randwick.
5. Resumption of the adjourned Debate on Mr. Darvall's motion,—  
 " (1.) That the practice of lending the Public Money at Interest is dangerous and 'impolitic,' because it exposes the Public Property to the risks of trade, and gives undue encouragement to speculation and the extension of credit.  
 " (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General."
6. Lunacy Jurisdiction Amendment Bill; second reading.
7. Railway Works; Resumption of the Committee to take evidence on.
8. Town Hall Site Exchange Bill; second reading.
9. District Courts Act Amendment Bill; second reading.
10. Enforcement of Claims against the Crown Bill; second reading.
11. Seamen's Engagement Amendment Bill; consideration in Committee of Legislative Council's Amendments.
12. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
13. Affiliated Colleges Act Amendment Bill; second reading.
14. Necropolis Act Extension Bill; to be further considered in Committee.
15. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
16. Public Lands Bill; second reading.
17. Land Tax Bill; second reading.
18. Capital Punishments Abolition Bill; second reading.
19. Law of Primogeniture Abolition Bill; second reading.
20. Inquests concerning Fires Bill; second reading.
21. Sydney Council Debentures Bill; to be further considered in Committee.
22. Supreme Court Verdicts and Judgments Bill; second reading.
23. Commissioner at Newcastle Appointment Bill; second reading.
24. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
25. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
26. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
27. New Trials Bill; second reading.

Questions:—

1. MR. TERRY to ask THE COLONIAL TREASURER,—On what grounds the First Landing-waiter at the Customs Department received a much larger salary than the other Landing-waiters, he having no additional responsibility?
2. MR. DICKSON to ask THE HONORABLE THE PREMIER,—When the Return asked for by this House on the 7th February will be laid on the Table, shewing,—  
 (1.) The way in which all sums of money voted by this House, under the head of Allowances, Contingencies, Incidental Expenses, Special and Miscellaneous Services, since the introduction of Responsible Government, have been expended?  
 (2.) That such Return shall shew, in detail, the manner in which each vote under the above heads has been expended?  
 (3.) Where the expenditure has been more or less than the sum voted, how the balance has been appropriated or provided?
3. MR. FORSTER to ask THE SECRETARY FOR PUBLIC WORKS,—When is it probable that the proposed building of a Court House and Lock-up at Queanbeyan will be proceeded with?
4. MR. WILSON to ask THE HONORABLE THE PREMIER,—What steps the Government have taken, or intend to take, to facilitate communication between Sydney and Kiandra?

5. MR. WILSON to ask THE SECRETARY FOR LANDS,—  
 (1.) If Mr. Cloete, the Commissioner for the Southern Gold Fields, has been instructed to inquire into the dispute between Messrs. Edwards, Bro', and Channon, and Emmanuel Hayes and Co., as to right of water at Adelong?  
 (2.) If so, has Mr. Cloete sent in his report to the Government?  
 6. MR. FORSTER to ask THE COLONIAL TREASURER,—Has any arrangement been made by the Government by which Public Money has been deposited in any Bank for a specific period, during which the Government has no power to withdraw such deposit, or any portion thereof?

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WEDNESDAY, MAY 30.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Consideration in Committee of Address for a sum of money towards the improvement of the Navigation of the Clarence and Richmond Rivers.

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FRIDAY, JUNE 1.

OTHER BUSINESS—NOTICE OF MOTION:—

1. DR. LANG to move,—  
 (1.) That, in the opinion of this House, it is expedient and necessary that facilities should be afforded for the establishment and maintenance of Grammar Schools, High Schools, or Academies, throughout the Colony, to afford a superior education to the youth of the middle classes of the community at a moderate expense, and to occupy an intermediate position between the common schools and the University.  
 (2.) That such facilities should be afforded on the following conditions, viz.:—
1. That wherever any portion of the inhabitants of any Town, or District, having a population of not fewer than four thousand souls, shall contribute not less than £2,000 for the establishment of a Grammar School, High School, or Academy, a sum equal to the amount contributed by the promoters of the undertaking shall be payable to the Trustees or other Managers of such Institution from the Public Treasury; provided that the buildings erected or to be erected for such purpose shall be approved beforehand by the Educational Authorities of the Colony, and provided also that no higher amount than £5,000 shall be contributed in any instance by the Government.
  2. That, provided the Educational Staff of any such Grammar School, High School, or Academy, shall comprise not fewer than four masters for the different branches of education to be taught in such school or academy; and provided that a regular curriculum, or course of study, extending over four years, shall be established in such Institution; and provided that there shall not be fewer than one hundred pupils or students in regular attendance, and that the school fees payable by each pupil or student shall not exceed £10 per annum, a yearly sum of £500 shall be payable to the Trustees from the Public Treasury, in the proportion of £200 to the head master, and £100 each to the other three.
  3. That, provided that, during the first three years of any such Institution, the number of masters shall be smaller than four, and the number of pupils or students than one hundred, a proportionate amount of the said yearly allowance of £500, to be fixed by the Educational Authorities of the Colony shall be payable to the Trustees from the Public Treasury; but that such payment shall be discontinued at the close of the third year if the Institution shall then have fewer than four masters and one hundred pupils or students.
  4. That a public examination shall be held annually, by Examiners duly appointed for the purpose, of all such pupils or students as may have completed their curriculum of four years; and that scholarships of from £20 to £50 a year—provided such scholarships are instituted by the Legislature, for the Grammar Schools or High Schools of the Colony generally—shall be awarded to the most deserving of such pupils or students as may be desirous of prosecuting their studies at the University.

T. A. MURRAY,  
*Speaker.*



No. 103.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

TUESDAY, 20 MAY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Land Law:—Mr. Black presented a Petition from certain Inhabitants of Sydney, and others, in Public Meeting assembled, praying that an Equitable Land Law may be passed.  
Petition received.
2. Railway Works:—*Evidence at Bar*:—Mr. Parkes, with the concurrence of the House, moved, without previous notice, That the Evidence taken at the Bar, before the Committee on Railway Works, and printed from time to time in detached portions, be now printed in a connected form as one paper.  
Question put and passed.  
Ordered to be so printed accordingly.
3. Public Loan Bill, 1860, on motion of Mr. Weekes, read a third time, and passed.  
Mr. Weekes then moved, That the Title of this Bill be "*An Act to enable the Government to raise Loans for certain Public Works, and to pay off certain Land and Immigration Debentures falling due in 1860.*"  
Question put and passed.  
Whereupon, Mr. Weekes moved, That this Bill be carried to the Legislative Council with the following Message:—  
MR. PRESIDENT,  
The Legislative Assembly having this day passed a Bill, intituled "*An Act to enable the Government to raise Loans for certain Public Works, and to pay off certain Land and Immigration Debentures falling due in 1860,*" presents the same to the Legislative Council for its concurrence.  
*Legislative Assembly Chamber,*  
*Sydney, 29th May, 1860.* Speaker.
- Question put and passed.
4. Appropriation Bill for 1859-60:—Mr. Weekes moved, That this Bill be now read a third time.  
Debate ensued.  
Question put and passed, and Bill read a third time.  
Mr. Weekes then moved, That this Bill do now pass.  
Question put and passed.  
Mr. Weekes then moved, That the Title of this Bill be "*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain Sums to make good the Supplies granted for the Service of the year 1859-60.*"  
Question put and passed.  
Whereupon, Mr. Weekes moved, That this Bill be carried to the Legislative Council, with the following Message:—  
MR. PRESIDENT,  
The Legislative Assembly having this day passed a Bill, intituled "*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain Sums to make good the Supplies granted for the Service of the year 1859-60,*" presents the same to the Legislative Council for its concurrence.  
*Legislative Assembly Chamber,*  
*Sydney, 29th May, 1860.* Speaker.
- Question put and passed.
5. Postponement:—Mr. Kemp postponed the motion standing in the name of Mr. Hodgson, No. 1 on the Notice Paper for to-day, until Friday next.
6. Steam Postal Service:—Mr. Alexander Campbell moved, pursuant to notice,—  
(1.) That the Resolutions adopted by this House on the 22nd of February last, pledging the Colony of New South Wales to the payment of £75,000 per annum, for subsidising a Steam Postal Service *via* Panama, be now rescinded.

(2.)

(2.) That in the opinion of this House, the Executive Government ought to take immediate steps, in co-operation with the other Australian Colonies, to put an end to the present expensive and unsatisfactory Postal Service to and from Suez, and to arrange for the establishment of a branch line of Mail Steamers to ply between Sydney and Ceylon.

Debate ensued.

And the House concurring in a suggestion made by Mr. Darvall that the Resolutions be put *seriatim*.—

Question—(1.)—That the Resolutions adopted by this House on the 22nd of February last, pledging the Colony of New South Wales to the payment of £75,000 per annum, for subsidising a Steam Postal Service *via* Panama, be now rescinded—put and negatived.

Question put—(2.)—That in the opinion of this House, the Executive Government ought to take immediate steps, in co-operation with the other Australian Colonies, to put an end to the present expensive and unsatisfactory Postal Service to and from Suez, and to arrange for the establishment of a Branch line of Mail Steamers to ply between Sydney and Ceylon.

The House divided.

Ayes, 7.

Mr. Darvall,	
Rev. Dr. Lang,	
Mr. Black,	
Mr. Hoskins,	
Mr. Forster,	
Mr. Mort,	
Mr. A. Campbell,	} Tellers.

Noes, 22.

Mr. Robertson,	Mr. Pemell,	
Mr. Weekes,	Mr. Kemp,	
Mr. Arnold,	Mr. Gray,	
Mr. Irving,	Mr. Roberts,	
Mr. McArthur,	Mr. Dickson,	
Mr. Fiddington,	Mr. Wilson,	
Mr. Windeyer,	Mr. Atkinson,	
Mr. Lucas,	Mr. Jamison,	
Mr. Farnell,	Mr. Close,	
Mr. Parkes,	Mr. Blake,	
Mr. Flett,	Mr. Faucett,	} Tellers.

Adjournment:—Mr. Robertson moved, That this House do now adjourn until "Three" o'clock to-morrow.

Mr. Irving moved, That the Question be amended, by the omission of the word "Three," with a view to the insertion in its place of the word "Seven."

Debate ensued.

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

The House divided.

Ayes, 16.

Mr. Robertson,	Mr. Forster,	
Mr. Weekes,	Mr. Pemell,	
Mr. Arnold,	Mr. Jamison,	
Mr. Parkes,	Mr. A. Campbell,	
Mr. Fiddington,	Mr. Lucas,	
Rev. Dr. Lang,	Mr. Dickson,	
Mr. Farnell,	Mr. McArthur,	} Tellers.
Mr. Black,	Mr. Close,	

Noes, 11.

Mr. Roberts,	Mr. Mort,	
Mr. Gray,	Mr. Irving,	
Mr. Darvall,	Mr. Faucett,	} Tellers.
Mr. Atkinson,		
Mr. Flett,		
Mr. Kemp,		
Mr. Wilson,		
Mr. Hoskins,		

Whereupon Original Question put and passed.

The House adjourned accordingly, at five minutes after Eleven o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, MAY 30.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. Mr. DENTENY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—Copies of all Correspondence connected with the recent irregular Election for the Electoral District of Tumut; together with copies of the Opinion of the Law Officer of the Crown thereon; and copies of Correspondence connected with proceedings in the matter of the Tumut Election subsequent to the said Law Officers' opinion.
2. Mr. BLACK to move, That the Petition from certain Inhabitants of Sydney, in reference to the passing of an Equitable Land Law, presented by him on the 29th May, be printed.
3. Mr. LORD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, with reference to the case of Mr. N. L. Kentish.
4. Mr. CUMMINGS to move, That this House will on Tuesday next, resolve itself into a Committee of the Whole to consider of an Address to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be placed on a Supplementary Estimate, the following sums, viz:—£6,000 for the erection of a Bridge across the Lachlan River, at or near Nanamai; £300 for the erection of a Bridge across Eugowra Creek, at or near its junction with the Lachlan River; £300 for the erection of a Bridge across Belubula Creek, where main road from Bathurst crosses said Creek; and £300 for the erection of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala, Turon.

5. **MR. HART** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) Copies of all Correspondence between the Government and Mr. C. G. T. Chauvel, and any other person or persons, relative to the pre-emptive purchase, by Mr. Chauvel, of any portion of his Run known as Tabulam West, in the District of the Clarence River, including any report or communication from any Government Surveyor, having reference thereto.
  - (2.) Any Minute of the Executive Council, also having reference thereto.
  - (3.) A Return of the different Reserves within the same District, specifying by whom recommended, and the dates when they were respectively made and proclaimed.
  - (4.) A Tabular Return of all applications for the exercise of pre-emptive rights by any person or persons in the said District since the passing of the Orders in Council, specifying in each case the applicant or applicants; the date of each application; the number of lots; the quantity, quality, and situation of the land applied for; whether or not application granted; the price per acre; when application granted; and the total quantity alienated in consequence of such applications.
6. **MR. WILSON** to move, That the following Members be added to the University Committee:—Messrs. Arnold, Parkes, Forster, and Denieby.
7. **MR. WALKER** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return specifying names and addresses of all Justices of the Peace who have resigned their Commissions since the 1st October, 1857.
8. **MR. LUCAS** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the amount paid to Officers of Customs for overtime, showing the services, the date of such services, for which overtime has been paid, and the total sum paid to each Officer.
9. **MR. LUCAS** to move, That this House do now resolve itself into a Committee of the Whole, when the Mover will ask leave to introduce a Bill to regulate Chinese Immigration by Penalty and other Restrictions.
10. **MR. CUMMINGS** to move,—
  - (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
  - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
11. **MR. JAMISON** to move, That the 57th Standing Order be suspended, with a view to the presentation of a Petition for leave to bring in a Bill to confer certain powers on the Penrith Nepean Bridge Company.
12. **MR. HART** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return, in a tabular form, shewing the names of all persons who have been concerned in the sale, measurement, or management, of Crown Lands, since the passing of the Lands' Sale Act, 5 and 6 Victoria, Cap. 36, who have become purchasers of Crown Lands; the respective offices held by them; date of sale; quantity purchased; whether town, suburban, or country lots; the rate paid per acre; whether purchased by auction, or selected after sale; and lastly, the total amount of land so alienated, and the sum realized from the sales.
13. **MR. FAUCETT** to move, That the second reading of the Common Law Procedure Act Extension Bill, which lapsed by the House being counted out on the 5th May, stand an Order of the Day for Tuesday next.

#### ORDERS OF THE DAY:—

1. Consideration in Committee of Address for a sum of money towards the improvement of the Navigation of the Clarence and Richmond Rivers.
2. Additional Judge's Appointment Bill; second reading.
3. Lien on Wool Act Continuation Bill; consideration in Committee of Legislative Council's Amendments.
4. Newcastle Wallsend Coal Company's Railway Bill; consideration in Committee of Legislative Council's Amendments.
5. Consideration in Committee of Address for £8,000 towards the completion of the Asylum for Destitute Children at Randwick.
6. Resumption of the adjourned Debate on Mr. Darvall's motion,—
  - "(1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risks of trade, and gives undue encouragement to speculation and the extension of credit.
  - "(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General."
7. Lunacy Jurisdiction Amendment Bill; second reading.
8. Railway Works; Resumption of the Committee to take evidence on.
9. Town Hall Site Exchange Bill; second reading.
10. District Courts Act Amendment Bill; second reading.
11. Enforcement of Claims against the Crown Bill; second reading.

12. Seamen's Engagement Amendment Bill; consideration in Committee of Legislative Council's Amendments.
13. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
14. Affiliated Colleges Act Amendment Bill; second reading.
15. Necropolis Act Extension Bill; to be further considered in Committee.
16. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
17. Public Lands Bill; second reading.
18. Land Tax Bill; second reading.
19. Capital Punishments Abolition Bill; second reading.
20. Law of Primogeniture Abolition Bill; second reading.
21. Inquests concerning Fires Bill; second reading.
22. Sydney Council Debentures Bill; to be further considered in Committee.
23. Supreme Court Verdicts and Judgments Bill; second reading.
24. Commissioner at Newcastle Appointment Bill; second reading.
25. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
26. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
27. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
28. New Trials Bill; second reading.

*Questions :—*

1. *MR. JAMISON to ask THE HONORABLE THE PREMIER*,—What answer, if any, has been returned to those persons at Penrith who have offered their services as a Volunteer Rifle Corps in that District?
2. *MR. DENIEHY to ask THE SECRETARY FOR LANDS*,—If the Inquiry instituted by the Government into recent conduct of the Clerk of Petty Sessions at Berrima has been closed by the officer appointed to inquire; and, if it has been closed, when the Government will be prepared to lay a copy of the report upon the Table of this House?
3. *DR. LANG to ask THE HONORABLE THE PREMIER*,—Whether the Government have had any official notice of a Resolution having been adopted by the other House of Legislature, to allow Private Bills that may have been advanced to a certain stage in any Session of Parliament, but not passed, to be taken up at the same stage in the next ensuing Session; and whether, if such notification has been received, it is the intention of the Government to submit the same to the Standing Orders Committee, with a view to its consideration and adoption by this House during the present Session?

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FRIDAY, JUNE 1.

OTHER BUSINESS—NOTICES OF MOTION :—

1. *DR. LANG to move*,—
  - (1.) That, in the opinion of this House, it is expedient and necessary that facilities should be afforded for the establishment and maintenance of Grammar Schools, High Schools, or Academics, throughout the Colony, to afford a superior education to the youth of the middle classes of the community at a moderate expense, and to occupy an intermediate position between the common schools and the University.
  - (2.) That such facilities should be afforded on the following conditions, viz. :—
    1. That wherever any portion of the inhabitants of any Town, or District, having a population of not fewer than four thousand souls, shall contribute not less than £2,000 for the establishment of a Grammar School, High School, or Academy, a sum equal to the amount contributed by the promoters of the undertaking shall be payable to the Trustees or other Managers of such Institution from the Public Treasury; provided that the buildings erected or to be erected for such purpose shall be approved beforehand by the Educational Authorities of the Colony, and provided also that no higher amount than £5,000 shall be contributed in any instance by the Government.
    2. That, provided the Educational Staff of any such Grammar School, High School, or Academy, shall comprise not fewer than four masters for the different branches of education to be taught in such school or academy; and provided that a regular curriculum, or course of study, extending over four years, shall be established in such Institution; and provided that there shall not be fewer than one hundred pupils or students in regular attendance, and that the school fees payable by each pupil or student shall not exceed £10 per annum, a yearly sum of £500 shall be payable to the Trustees from the Public Treasury, in the proportion of £200 to the head master, and £100 each to the other three.
    3. That, provided that, during the first three years of any such Institution, the number of masters shall be smaller than four, and the number of pupils or students than one hundred, a proportionate amount of the said yearly allowance of £500, to be fixed by the Educational Authorities of the Colony shall be payable to the Trustees from the Public Treasury; but that such payment shall be discontinued at the close of the third year if the Institution shall then have fewer than four masters and one hundred pupils or students.



4. That a public examination shall be held annually, by Examiners duly appointed for the purpose, of all such pupils or students as may have completed their *curriculum* of four years; and that scholarships of from £20 to £50 a year—provided such scholarships are instituted by the Legislature, for the Grammar Schools or High Schools of the Colony generally—shall be awarded to the most deserving of such pupils or students as may be desirous of prosecuting their studies at the University.
2. Mr. HODGSON to move, That an Address be presented to the Governor General, transmitting a Copy of the Report and Evidence in the case of Mr. David Morris and others, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.

*Questions :—*

1. Mr. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to have surveyed and put up for sale, land suitable for farms, upon Woodford Island, Clarence River?
2. Mr. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether the Government have received any application from Mr. Clark Irving to be allowed to purchase, under pre-emptive right, a portion of a Government reserve upon the banks of the Richmond River; if so, what improvements have been effected—what is their estimated value—and what is the name of the valuator?

T. A. MURRAY,  
*Speaker.*

[Price, 6d.]



No. 104.

## VOTES AND PROCEEDINGS

OF THE

# LEGISLATIVE ASSEMBLY.

WEDNESDAY, 30 MAY, 1860.

1. There being only Nineteen Members present, exclusive of the Speaker,—namely, Mr. Black, Mr. A. Campbell, Mr. Cummings, Mr. Farnell, Mr. Faucett, Mr. Flett, Mr. Garrett, Mr. Hay, Mr. Hodgson, Mr. Kemp, Dr. Lang, Mr. McArthur, Mr. Parkes, Mr. Pomell, Mr. Piddington, Mr. Robertson, Mr. Terry, Mr. Weekes, and Mr. Windeyer,—The Speaker took the Chair, and adjourned the House, at half-past Three o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, MAY 31.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. DENIENY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—Copies of all Correspondence connected with the recent irregular Election for the Electoral District of Tumut; together with copies of the Opinion of the Law Officer of the Crown thereon; and copies of Correspondence connected with proceedings in the matter of the Tumut Election subsequent to the said Law Officers' opinion.
2. MR. BLACK to move, That the Petition from certain Inhabitants of Sydney, in reference to the passing of an Equitable Land Law, presented by him on the 29th May, be printed.
3. MR. LORD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, with reference to the case of Mr. N. L. Kentish.
4. MR. CUMMINGS to move, That this House will on Tuesday next, resolve itself into a Committee of the Whole to consider of an Address to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be placed on a Supplementary Estimate, the following sums, viz :—£6,000 for the erection of a Bridge across the Lachlan River, at or near Nanamoi; £300 for the erection of a Bridge across Eugowra Creek, at or near its junction with the Lachlan River; £300 for the erection of a Bridge across Belubula Creek, where main road from Bathurst crosses said Creek; and £300 for the erection of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala, Turon.
5. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) Copies of all Correspondence between the Government and Mr. C. G. T. Chauvel, and any other person or persons, relative to the pre-emptive purchase, by Mr. Chauvel, of any portion of his Run known as Tabulam West, in the District of the Clarence River, including any report or communication from any Government Surveyor, having reference thereto.
  - (2.) Any Minute of the Executive Council, also having reference thereto.
  - (3.) A Return of the different Reserves within the same District, specifying by whom recommended, and the dates when they were respectively made and proclaimed.
  - (4.) A Tabular Return of all applications for the exercise of pre-emptive rights by any person or persons in the said District since the passing of the Orders in Council, specifying in each case the applicant or applicants; the date of each application; the number of lots; the quantity, quality, and situation of the land applied for; whether or not application granted; the price per acre; when application granted; and the total quantity alienated in consequence of such applications.
6. MR. WILSON to move, That the following Members be added to the University Committee :—Messrs. Arnold, Parkes, Forster, and Deniehy.

7. MR. WALKER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return specifying names and addresses of all Justices of the Peace who have resigned their Commissions since the 1st October, 1857.
8. MR. LUCAS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the amount paid to Officers of Customs for overtime, shewing the services, the date of such services, for which overtime has been paid, and the total sum paid to each Officer.
9. MR. LUCAS to move, That this House do now resolve itself into a Committee of the Whole, when the Mover will ask leave to introduce a Bill to regulate Chinese Immigration by Penalty and other Restrictions.
10. MR. CUMMINGS to move,—  
 (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.  
 (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
11. MR. JAMISON to move, That the 57th Standing Order be suspended, with a view to the presentation of a Petition for leave to bring in a Bill to confer certain powers on the Penrith Nepean Bridge Company.
12. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return, in a tabular form, shewing the names of all persons who have been concerned in the sale, measurement, or management, of Crown Lands, since the passing of the Lands' Sale Act, 5 and 6 Victoria, Cap. 36, who have become purchasers of Crown Lands; the respective offices held by them; date of sale; quantity purchased; whether town, suburban, or country lots; the rate paid per acre; whether purchased by auction, or selected after sale; and lastly, the total amount of land so alienated, and the sum realized from the sales.
13. MR. FAUCETT to move, That the second reading of the Common Law Procedure Act Extension Bill, which lapsed by the House being counted out on the 5th May, stand an Order of the Day for Tuesday next.

ORDERS OF THE DAY :—

1. Consideration in Committee of Address for a sum of money towards the improvement of the Navigation of the Clarence and Richmond Rivers.
2. Additional Judge's Appointment Bill; second reading.
3. Lien on Wool Act Continuation Bill; consideration in Committee of Legislative Council's Amendments.
4. Newcastle Wallsend Coal Company's Railway Bill; consideration in Committee of Legislative Council's Amendments.
5. Consideration in Committee of Address for £8,000 towards the completion of the Asylum for Destitute Children at Randwick.
6. Resumption of the adjourned Debate on Mr. Darvall's motion,—  
 " (1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risks of trade, and gives undue encouragement to speculation and the extension of credit.  
 " (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General."
7. Lunacy Jurisdiction Amendment Bill; second reading.
8. Railway Works; Resumption of the Committee to take evidence on.
9. Town Hall Site Exchange Bill; second reading.
10. District Courts Act Amendment Bill; second reading.
11. Enforcement of Claims against the Crown Bill; second reading.
12. Seamen's Engagement Amendment Bill; consideration in Committee of Legislative Council's Amendments.
13. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
14. Affiliated Colleges Act Amendment Bill; second reading.
15. Necropolis Act Extension Bill; to be further considered in Committee.
16. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
17. Public Lands Bill; second reading.
18. Land Tax Bill; second reading.
19. Capital Punishments Abolition Bill; second reading.
20. Law of Primogeniture Abolition Bill; second reading.
21. Inquests concerning Fires Bill; second reading.
22. Sydney Council Debentures Bill; to be further considered in Committee.
23. Supreme Court Verdicts and Judgments Bill; second reading.
24. Commissioner at Newcastle Appointment Bill; second reading.
25. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
26. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
27. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
28. New Trials Bill; second reading.

Questions :—

**Questions :—**

1. **MR. JAMISON to ask THE HONORABLE THE PREMIER**,—What answer, if any, has been returned to those persons at Penrith who have offered their services as a Volunteer Rifle Corps in that District?
2. **MR. DENIEHY to ask THE SECRETARY FOR LANDS**,—If the Inquiry instituted by the Government into recent conduct of the Clerk of Petty Sessions at Berrima has been closed by the officer appointed to inquire; and, if it has been closed, when the Government will be prepared to lay a copy of the report upon the Table of this House?
3. **DR. LANG to ask THE HONORABLE THE PREMIER**,—Whether the Government have had any official notice of a Resolution having been adopted by the other House of Legislature, to allow Private Bills that may have been advanced to a certain stage in any Session of Parliament, but not passed, to be taken up at the same stage in the next ensuing Session; and whether, if such notification has been received, it is the intention of the Government to submit the same to the Standing Orders Committee, with a view to its consideration and adoption by this House during the present Session?

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FRIDAY, JUNE 1.

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. **DR. LANG to move**,—  
 (1.) That, in the opinion of this House, it is expedient and necessary that facilities should be afforded for the establishment and maintenance of Grammar Schools, High Schools, or Academics, throughout the Colony, to afford a superior education to the youth of the middle classes of the community at a moderate expense, and to occupy an intermediate position between the common schools and the University.  
 (2.) That such facilities should be afforded on the following conditions, viz. :—  
 1. That wherever any portion of the inhabitants of any Town, or District, having a population of not fewer than four thousand souls, shall contribute not less than £2,000 for the establishment of a Grammar School, High School, or Academy, a sum equal to the amount contributed by the promoters of the undertaking shall be payable to the Trustees or other Managers of such Institution from the Public Treasury; provided that the buildings erected or to be erected for such purpose shall be approved beforehand by the Educational Authorities of the Colony, and provided also that no higher amount than £5,000 shall be contributed in any instance by the Government.  
 2. That, provided the Educational Staff of any such Grammar School, High School, or Academy, shall comprise not fewer than four masters for the different branches of education to be taught in such school or academy; and provided that a regular *curriculum*, or course of study, extending over four years, shall be established in such Institution; and provided that there shall not be fewer than one hundred pupils or students in regular attendance, and that the school fees payable by each pupil or student shall not exceed £10 per annum, a yearly sum of £500 shall be payable to the Trustees from the Public Treasury, in the proportion of £200 to the head master, and £100 each to the other three.  
 3. That, provided that, during the first three years of any such Institution, the number of masters shall be smaller than four, and the number of pupils or students than one hundred, a proportionate amount of the said yearly allowance of £500, to be fixed by the Educational Authorities of the Colony shall be payable to the Trustees from the Public Treasury; but that such payment shall be discontinued at the close of the third year if the Institution shall then have fewer than four masters and one hundred pupils or students.  
 4. That a public examination shall be held annually, by Examiners duly appointed for the purpose, of all such pupils or students as may have completed their *curriculum* of four years; and that scholarships of from £20 to £50 a year—provided such scholarships are instituted by the Legislature, for the Grammar Schools or High Schools of the Colony generally—shall be awarded to the most deserving of such pupils or students as may be desirous of prosecuting their studies at the University.
2. **MR. HODGSON to move**, That an Address be presented to the Governor General, transmitting a Copy of the Report and Evidence in the case of Mr. David Morris and others, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.

**Questions :—**

1. **MR. HOSKINS to ask THE SECRETARY FOR LANDS**,—Whether it is the intention of the Government to have surveyed and put up for sale, land suitable for farms, upon Woodford Island, Clarence River?
2. **MR. HOSKINS to ask THE SECRETARY FOR LANDS**,—Whether the Government have received any application from Mr. Clark Irving to be allowed to purchase, under pre-emptive right, a portion of a Government reserve upon the banks of the Richmond River; if so, what improvements have been effected—what is their estimated value—and what is the name of the valuator?

T. A. MURRAY,  
Speaker.



No. 105.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

THURSDAY, 31 MAY, 1860.

1. There being only Seventeen Members present, exclusive of the Speaker,—namely, Mr. Arnold, Mr. Asher, Mr. A. Campbell, Mr. Deniehy, Mr. Faucett, Mr. Forster, Mr. Hart, Mr. Jamison, Mr. Kemp, Dr. Lang, Mr. McArthur, Mr. Parkes, Mr. Piddington, Mr. Robertson, Mr. Terry, Mr. Weekes, and Mr. Windeyer,—The Speaker took the Chair, and adjourned the House, at half-past Three o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JUNE 1:

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move,—
  - (1.) That, in the opinion of this House, it is expedient and necessary that facilities should be afforded for the establishment and maintenance of Grammar Schools, High Schools, or Academies, throughout the Colony, to afford a superior education to the youth of the middle classes of the community at a moderate expense, and to occupy an intermediate position between the common schools and the University.
  - (2.) That such facilities should be afforded on the following conditions, viz. :—
    1. That wherever any portion of the inhabitants of any Town, or District, having a population of not fewer than four thousand souls, shall contribute not less than £2,000 for the establishment of a Grammar School, High School, or Academy, a sum equal to the amount contributed by the promoters of the undertaking shall be payable to the Trustees or other Managers of such Institution from the Public Treasury ; provided that the buildings erected or to be erected for such purpose shall be approved beforehand by the Educational Authorities of the Colony, and provided also that no higher amount than £5,000 shall be contributed in any instance by the Government.
    2. That, provided the Educational Staff of any such Grammar School, High School, or Academy, shall comprise not fewer than four masters for the different branches of education to be taught in such school or academy ; and provided that a regular *curriculum*, or course of study, extending over four years, shall be established in such Institution ; and provided that there shall not be fewer than one hundred pupils or students in regular attendance, and that the school fees payable by each pupil or student shall not exceed £10 per annum, a yearly sum of £500 shall be payable to the Trustees from the Public Treasury, in the proportion of £200 to the head master, and £100 each to the other three.
    3. That, provided that, during the first three years of any such Institution, the number of masters shall be smaller than four, and the number of pupils or students than one hundred, a proportionate amount of the said yearly allowance of £500, to be fixed by the Educational Authorities of the Colony shall be payable to the Trustees from the Public Treasury ; but that such payment shall be discontinued at the close of the third year if the Institution shall then have fewer than four masters and one hundred pupils or students.
    4. That a public examination shall be held annually, by Examiners duly appointed for the purpose, of all such pupils or students as may have completed their *curriculum* of four years ; and that scholarships of from £20 to £50 a year—provided such scholarships are instituted by the Legislature, for the Grammar Schools or High Schools of the Colony generally—shall be awarded to the most deserving of such pupils or students as may be desirous of prosecuting their studies at the University.

2. MR. HODGSON to move, That an Address be presented to the Governor General, transmitting a Copy of the Report and Evidence in the case of Mr. David Morris and others, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.
3. MR. DENIEHY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—Copies of all Correspondence connected with the recent irregular Election for the Electoral District of Tumut; together with copies of the Opinion of the Law Officer of the Crown thereon; and copies of Correspondence connected with proceedings in the matter of the Tumut Election subsequent to the said Law Officers' opinion.
4. MR. BLACK to move, That the Petition from certain Inhabitants of Sydney, in reference to the passing of an Equitable Land Law, presented by him on the 29th May, be printed.
5. MR. LORD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, with reference to the case of Mr. N. L. Kentish.
6. MR. CUMMINGS to move, That this House will on Tuesday next, resolve itself into a Committee of the Whole to consider of an Address to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be placed on a Supplementary Estimate, the following sums, viz :—£6,000 for the erection of a Bridge across the Lachlan River, at or near Nanamai; £300 for the erection of a Bridge across Eugowra Creek, at or near its junction with the Lachlan River; £300 for the erection of a Bridge across Belubula Creek, where main road from Bathurst crosses said Creek; and £300 for the erection of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala, Turon.
7. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) Copies of all Correspondence between the Government and Mr. C. G. T. Chauvel, and any other person or persons, relative to the pre-emptive purchase, by Mr. Chauvel, of any portion of his Run known as Tabulam West, in the District of the Clarence River, including any report or communication from any Government Surveyor, having reference thereto.
  - (2.) Any Minute of the Executive Council, also having reference thereto.
  - (3.) A Return of the different Reserves within the same District, specifying by whom recommended, and the dates when they were respectively made and proclaimed.
  - (4.) A Tabular Return of all applications for the exercise of pre-emptive rights by any person or persons in the said District since the passing of the Orders in Council, specifying in each case the applicant or applicants; the date of each application; the number of lots; the quantity, quality, and situation of the land applied for; whether or not application granted; the price per acre; when application granted; and the total quantity alienated in consequence of such applications.
8. MR. WILSON to move, That the following Members be added to the University Committee :—Messrs. Arnold, Parkes, Forster, and Deniehy.
9. MR. WALKER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return specifying names and addresses of all Justices of the Peace who have resigned their Commissions since the 1st October, 1857.
10. MR. LUCAS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the amount paid to Officers of Customs for overtime, shewing the services, the date of such services, for which overtime has been paid, and the total sum paid to each Officer.
11. MR. LUCAS to move, That this House do now resolve itself into a Committee of the Whole, when the Mover will ask leave to introduce a Bill to regulate Chinese Immigration by Penalty and other Restrictions.
12. MR. CUMMINGS to move,—
  - (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
  - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
13. MR. JAMISON to move, That the 57th Standing Order be suspended, with a view to the presentation of a Petition for leave to bring in a Bill to confer certain powers on the Ponrith Nepean Bridge Company.
14. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return, in a tabular form, shewing the names of all persons who have been concerned in the sale, measurement, or management, of Crown Lands, since the passing of the Lands' Sale Act, 5 and 6 Victoria, Cap. 36, who have become purchasers of Crown Lands; the respective offices held by them; date of sale; quantity purchased; whether town, suburban, or country lots; the rate paid per acre; whether purchased by auction, or selected after sale; and lastly, the total amount of land so alienated, and the sum realized from the sales.



15. MR. FAUCETT to move, That the second reading of the Common Law Procedure Act Extension Bill, which lapsed by the House being counted out on the 5th May, stand an Order of the Day for Tuesday next.

ORDERS OF THE DAY :—

1. Consideration in Committee of Address for a sum of money towards the improvement of the Navigation of the Clarence and Richmond Rivers.
2. Additional Judge's Appointment Bill ; second reading.
3. Lien on Wool Act Continuation Bill ; consideration in Committee of Legislative Council's Amendments.
4. Newcastle Wallsend Coal Company's Railway Bill ; consideration in Committee of Legislative Council's Amendments.
5. Consideration in Committee of Address for £8,000 towards the completion of the Asylum for Destitute Children at Randwick.
6. Resumption of the Adjourned Debate on Mr. Darvall's motion,—  
 " (1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risks of trade, and gives undue encouragement to speculation and the extension of credit.  
 " (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General."
7. Lunacy Jurisdiction Amendment Bill ; second reading.
8. Railway Works ; Resumption of the Committee to take evidence on.
9. Town Hall Site Exchange Bill ; second reading.
10. District Courts Act Amendment Bill ; second reading.
11. Enforcement of Claims against the Crown Bill ; second reading.
12. Seamen's Engagement Amendment Bill ; consideration in Committee of Legislative Council's Amendments.
13. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
14. Affiliated Colleges Act Amendment Bill ; second reading.
15. Necropolis Act Extension Bill ; to be further considered in Committee.
16. Funds for Experimental Quartz Crushing Machine ; consideration in Committee of Address for.
17. Public Lands Bill ; second reading.
18. Land Tax Bill ; second reading.
19. Capital Punishments Abolition Bill ; second reading.
20. Law of Primogeniture Abolition Bill ; second reading.
21. Inquests concerning Fires Bill ; second reading.
22. Sydney Council Debentures Bill ; to be further considered in Committee.
23. Supreme Court Verdicts and Judgments Bill ; second reading.
24. Commissioner at Newcastle Appointment Bill ; second reading.
25. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
26. Moreton Bay Immigration and Land Company's Act Amendment Bill ; second reading.
27. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
28. New Trials Bill ; second reading.

Questions :—

1. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to have surveyed and put up for sale, land suitable for farms, upon Woodford Island, Clarence River ?
2. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—Whether the Government have received any application from Mr. Clark Irving to be allowed to purchase, under preemptive right, a portion of a Government reserve upon the banks of the Richmond River ; if so, what improvements have been effected—what is their estimated value—and what is the name of the valuator ?
3. MR. JAMISON to ask THE HONORABLE THE PREMIER,—What answer, if any, has been returned to those persons at Penrith who have offered their services as a Volunteer Rifle Corps in that District ?
4. MR. DENIEHY to ask THE SECRETARY FOR LANDS,—If the Inquiry instituted by the Government into recent conduct of the Clerk of Petty Sessions at Berrima has been closed by the officer appointed to inquire ; and, if it has been closed, when the Government will be prepared to lay a copy of the report upon the Table of this House ?
5. DR. LANG to ask THE HONORABLE THE PREMIER,—Whether the Government have had any official notice of a Resolution having been adopted by the other House of Legislature, to allow Private Bills that may have been advanced to a certain stage in any Session of Parliament, but not passed, to be taken up at the same stage in the next ensuing Session ; and whether, if such notification has been received, it is the intention of the Government to submit the same to the Standing Orders Committee, with a view to its consideration and adoption by this House during the present Session ?

T. A. MURRAY,  
Speaker.

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No. 106.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

FRIDAY, 1 JUNE, 1860.

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

Proposed Library Arrangements:—Mr. Kemp, on behalf of the Chairman, brought up a Report from the Library Committee, in reference to certain Library Arrangements. The same was, by the Clerk read at length by order of the Speaker, as follows:—

"The Library Committee of the Legislative Assembly, appointed on the 1st September last, have agreed to the following Report:—

"Your Committee beg to report to your Honorable House that the present Library Arrangements being found insufficient for the accommodation of Members, and the safe keeping of the Books, your Committee deemed it expedient to request a Conference with the Library Committee of the Legislative Council, in order that the subject might be fully considered.

"This request having been acceded to, a Conference was accordingly held in the Committee Room No. 2 of the Legislative Council, on the 25th May instant, the result of which was that the following Resolution was agreed to by the Library Committees of the respective Houses:—

"The present Library arrangements being insufficient for the accommodation of Members, and the safe keeping of the Books, this Committee is of opinion,—

"(1.) That a general Parliamentary Library should be established for the use of Members of both Houses.

"(2.) That the Apartment now used as a Refreshment Room would afford sufficient accommodation for this purpose.

"(3.) That the Rooms now used as Libraries should be kept up as Reading Rooms for the respective Houses, and be furnished, in addition to Newspapers and Periodicals, with the Standard Works of reference for Parliamentary purposes.

"(4.) That a convenient Refreshment Room might be easily constructed during the ensuing Recess.

"And your Committee would now recommend the Adoption of the said Resolution by your Honorable House."

"Legislative Assembly Chamber,  
Sydney, 30 May, 1860.

"T. A. MURRAY,  
Chairman."

Mr. Kemp then moved that this Report be printed.

Question put and passed.

Ordered to be printed.

2. Papers:—Mr. Robertson laid upon the Table the following Papers:—

(1.) Return to an Address for Correspondence between the Government and Mr. Lewis Markham, and other persons, relative to the appointment of a District Registrar at Armidale, in lieu of Mr. Baker, resigned, adopted on motion of Mr. Hart, on the 4th May, 1860.

(2.) Return to an Address for Copies of all Documents, whether Reports of Boards of Inquiry or of Magistrates, or Correspondence between Members of the Sydney Bench and the Government, relating to the removal of Mr. G. Delohery from the office of Chief Clerk of the Sydney Police Office, in the year 1850, adopted on motion of Mr. Parkes, on the 4th May, 1860.

3. Dean of St. Andrew's Sydney:—Mr. Black, as Chairman, brought up the Report from, and laid upon the Table the Proceedings of, and Minutes of Evidence taken before, the Select Committee, for whose consideration and Report a Petition relative to the appointment of a Dean was referred on the 17th February last.

Ordered to be printed.

4. Motion withdrawn:—Dr. Lang withdrew the motion standing in his name No. 1 on the Notice Paper for to-day.

5. Mr. David Morris (*and others*):—Mr. Hodgson moved, pursuant to notice, That an Address be presented to the Governor General, transmitting a Copy of the Report and Evidence in the case of Mr. David Morris and others, with a request that His Excellency will bring the recommendations therein contained under the consideration of the Executive Council.

Debate ensued.

Question put.

The House divided.

Ayes, 7.

Rev. Dr. Lang,  
Mr. Kemp,  
Mr. Parkes,  
Mr. Irving,  
Mr. Hoskins,  
Mr. Clements,  
Mr. Hodgson, } Tellers.

Noes, 22.

Mr. Robertson, Mr. Pemell,  
Mr. Weekes, Mr. Blake,  
Mr. Black, Mr. Wilson,  
Mr. Garrett, Mr. Hart,  
Mr. Asher, Mr. Farnell,  
Mr. Terry, Mr. Forster,  
Mr. McArthur, Mr. Deniehy,  
Mr. Jamison, Mr. Arnold,  
Mr. Windeyer, Mr. Gray,  
Mr. Scott, Mr. Mort, } Tellers.  
Mr. Cummings, Mr. Lyons.

6. Irregular Election for the Electoral District of The Tumut:—Mr. Deniehy moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—Copies of all Correspondence connected with the recent irregular Election for the Electoral District of Tumut; together with copies of the Opinion of the Law Officer of the Crown thereon; and copies of Correspondence connected with proceedings in the matter of the Tumut Election subsequent to the said Law Officers' opinion.
- Debate ensued.
- Question put and passed.
7. Land Law:—Mr. Black moved, pursuant to notice, That the Petition from certain Inhabitants of Sydney, in reference to the passing of an Equitable Land Law, presented by him on the 29th May, be printed.
- Debate ensued.
- Question put and passed.
- Ordered to be printed.
8. Postponement:—Mr. Kemp postponed the motion standing in the name of Mr. Lord No. 5 on the Notice Paper for to-day, until Tuesday next.
9. Various Bridges in the Western Districts:—Mr. Cummings moved, pursuant to notice, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider of an Address to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be placed on a Supplementary Estimate, the following sums, viz:—£6,000 for the erection of a Bridge across the Lachlan River, at or near Nanamai; £300 for the erection of a Bridge across Eugowra Creek, at or near its junction with the Lachlan River; £300 for the erection of a Bridge across Belubula Creek, where main road from Bathurst crosses said Creek; and £300 for the erection of a Bridge across Winburndale Creek, on the main road from Bathurst to Sofala, Turon.
- Debate ensued.
- Motion by leave withdrawn.
10. Mr. C. G. T. Chauvel and others:—Exercise of Pre-emptive Rights:—Mr. Hart moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
- (1.) Copies of all Correspondence between the Government and Mr. C. G. T. Chauvel, and any other person or persons, relative to the pre-emptive purchase, by Mr. Chauvel, of any portion of his Run known as Tabulam West, in the District of the Clarence River, including any report or communication from any Government Surveyor, having reference thereto.
  - (2.) Any Minute of the Executive Council, also having reference thereto.
  - (3.) A Return of the different Reserves within the same District, specifying by whom recommended, and the dates when they were respectively made and proclaimed.
  - (4.) A Tabular Return of all applications for the exercise of pre-emptive rights by any person or persons in the said District since the passing of the Orders in Council, specifying in each case the applicant or applicants; the date of each application; the number of lots; the quantity, quality, and situation of the land applied for; whether or not application granted; the price per acre; when application granted; and the total quantity alienated in consequence of such applications.
- Debate ensued.
- Question put and passed.
11. University Committee:—Mr. Wilson moved, pursuant to notice, That the following Members be added to the University Committee:—Messrs. Arnold, Parkes, Forster, and Deniehy.
- Question put and passed.
12. Postponements:—
- (1.) Mr. Clements postponed the motion standing in the name of Mr. Walker, No. 9 on the Notice Paper for to-day, until Wednesday next.
  - (2.) Mr. Hoskins postponed the motion standing in the name of Mr. Lucas, No. 10 on the Notice Paper for to-day, until Tuesday next.

- (3.) Mr. Hoskins postponed the motion standing in the name of Mr. Lucas, No. 11 on the Notice Paper for to-day, until Tuesday next.
- (4.) Mr. Cummings postponed the motion standing in his name, No. 12 on the Notice Paper for to-day, until Tuesday next.
13. Penrith Nepean Bridge Company :—Mr. Jamison moved, pursuant to *amended* notice, That the 57th Standing Order, and so much of the 59th Standing Order as may be necessary be suspended, with a view to the presentation of a Petition for leave to bring in a Bill to confer certain powers on the Penrith Nepean Bridge Company. Question put and passed. Whereupon Mr. Jamison presented a Petition from John Perry, Henry Bell, and James T. Ryan, Directors for and on behalf of the said Company, praying leave to introduce the said Bill. Petition received.
14. Crown Land Purchases by persons concerned in the Sale, Measurement, or Management thereof :—Mr. Hart moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—a Return, in a tabular form, shewing the names of all persons who have been concerned in the sale, measurement, or management of Crown Lands, since the passing of the Lands' Sale Act, 5 and 6 Victoria, Cap. 36, who have become purchasers of Crown Lands; the respective offices held by them; date of sale; quantity purchased; whether town, suburban, or country lots; the rate paid per acre; whether purchased by auction, or selected after sale; and lastly, the total amount of land so alienated, and the sum realized from the sales. Debate ensued. Motion by leave withdrawn.
15. Common Law Procedure Act Extension Bill :—Mr. Windeyer, on behalf of Mr. Faucett, moved, pursuant to notice, That the second reading of the Common Law Procedure Act Extension Bill, which lapsed by the House being counted out on the 5th May, stand an Order of the Day for Tuesday next. Question put and passed.
16. Navigation of the Clarence and Richmond Rivers :—On motion of Mr. Irving, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the consideration of an Address to His Excellency the Governor General, for a sum of money towards the improvement of the navigation of these Rivers. The Chairman having reported that there was not a Quorum present in the Committee, the House was counted, and there being twenty Members present, exclusive of the Speaker, the Committee resumed. The Chairman reported that the Committee had agreed to the following Resolution :—Resolved, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Estimates of Expenditure for 1861, a sum not exceeding £20,000, towards the improvement of the Navigation of the Clarence and Richmond Rivers. Mr. Irving moved, That this Resolution be now adopted. Question put and passed.
17. Postponement :—The second reading of the Additional Judge's Appointment Bill postponed, on motion of Mr. Parkes, until Tuesday next.
18. Lien on Wool Act Continuation Bill :—On motion of Mr. Mort, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the consideration of the Legislative Council's Amendments in this Bill.

And the Committee continuing to sit till after Midnight,—

SATURDAY, 2 JUNE, 1860. A.M.

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

19. Adjournment :—Mr. Robertson moved, That this House do now adjourn.

The House divided.

And the Tellers reporting the numbers as follows,

Ayes, 10.

Noes, 9.

Mr. Robertson,	Mr. Wilson,	Mr. Hay,	Mr. McArthur,	
Mr. Arnold,	Mr. Clements,	Mr. Roberts,	Mr. Irving,	
Mr. Weekes,	Rev. Dr. Lang,	Mr. Windeyer,	Mr. Kemp,	
Mr. Hart,	Mr. Piddington,	Mr. Parkes,	Mr. Mort,	
Mr. Farnoll,	Mr. Forster,	Mr. Hoskins,		
				} Tellers.

And it appearing by the said Report that there was not a Quorum of Members present, the Speaker adjourned the House at half-past Twelve o'clock A.M., until Tuesday next at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JUNE 5.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. KEMP to move,—
  - (1.) That the Report from the Library Committee, dated 30th May, 1860, recommending certain Library Arrangements, brought up by him on behalf of the Chairman, and ordered to be printed, be now adopted by this House.
  - (2.) That a Copy of the said Report be transmitted to the Governor General, with an Address requesting that His Excellency will be pleased to cause the necessary steps to be taken for carrying the same into effect.
2. MR. BLACK to move, That the Report of the Select Committee on the subject of the appointment of the Dean of St. Andrew's, Sydney, laid upon the Table of this House on the 1st June, be now adopted by this House.
3. DR. LANG to move, That the following question be referred to the Standing Orders Committee of this House for consideration and report, viz.,—Whether the Government have had any official notice of a Resolution having been adopted by the other House of Legislature, to allow Private Bills that may have been advanced to a certain stage in any Session of Parliament, but not passed, to be taken up at the same stage in the next ensuing Session; and whether, if such notification has been received, it is the intention of the Government to submit the same to the Standing Orders Committee, with a view to its consideration and adoption by this House during the present Session?
4. DR. LANG to move, That as the late Legislative Council passed an Act in the year 1855, to Incorporate a Company designated "The Moreton Bay Immigration and Land Company," and to afford the said Company the requisite facilities in the purchase of Land and the promotion of Immigration, for the growth of cotton in the Moreton Bay District, it is expedient and necessary that, in the event of funds being placed in the hands of the Land and Emigration Commissioners of the United Kingdom, under the provisions of the said Act, for the growth of cotton in the Clarence and Richmond River District, which was then supposed to be included in the Moreton Bay Country, but is still a part of New South Wales, notwithstanding the separation of Queensland, the said Company should be credited to the extent of eighty per cent. of such funds, in the purchase of land in that district, for the settlement of such emigrants.
5. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to direct that there be laid upon the Table of this House, with all convenient dispatch, a Return containing the following particulars respecting the several localities in this Colony from which communications have been received by the Government from the local authorities, or from any other source—from the 1st of January, 1858, to the 1st of May, 1860—respecting the want of a new gaol, watch-house, or lock-up, &c, or respecting the defective condition of any such buildings already existing:—
  - (1.) The name of each of the localities above referred to.
  - (2.) The names and offices (if holding any) of the persons making such communications to the Government.
  - (3.) The date of such communication.
  - (4.) The purport, in brief, of such communication.
  - (5.) The specific requirements or defects made known therein to the Government.
  - (6.) The purport, in brief, and date of the reply from the Government to such communication.
  - (7.) A summary statement of the measures adopted by the Government to meet the requirements and to remove the alleged defects in each case brought under their notice.
  - (8.) The date in each case when such remedial measures were commenced and terminated.
  - (9.) The name of the officer who received and replied to each of the above-mentioned communications.
6. MR. CLARK IRVING to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the present year, a sum not exceeding £200, to provide for the payment of a pension for Lady Mitchell, (widow of the late Sir Thomas Mitchell, formerly Surveyor General of this Colony.)
7. MR. PARKES to move, That Mr. C. H. Storey, Inspector of Works on the Western Line of Railway Extension, be summoned to give Evidence on Wednesday, 6th of June, before the Committee of this House on the construction of the Railway Works.
8. MR. HAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Treaty concluded under the River Murray Customs Act, and of all Correspondence which has taken place with the Governments of Victoria and South Australia, since the passing of that Act; also, of the Instructions addressed to the Officers of Customs lately appointed for Albury and Moama.
9. MR. LORD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, with reference to the case of Mr. N. L. Kentish.

10. MR. LUCAS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the amount paid to Officers of Customs for overtime, shewing the services, the date of such services, for which overtime has been paid, and the total sum paid to each Officer.
11. MR. LUCAS to move, That this House do now resolve itself into a Committee of the Whole, when the Mover will ask leave to introduce a Bill to regulate Chinese Immigration by Penalty and other Restrictions.
12. MR. CUMMINGS to move,—  
 (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.  
 (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
13. MR. JAMISON to move for leave to bring in a Bill to confer certain powers on the Penrith Nepean Bridge Company.

ORDERS OF THE DAY :—

1. Common Law Procedure Act Extension Bill ; second reading.
2. Additional Judge's Appointment Bill ; second reading.
3. Lien on Wool Act Continuation Bill ; further consideration in Committee of Legislative Council's Amendments.
4. Newcastle Wallsend Coal Company's Railway Bill ; consideration in Committee of Legislative Council's Amendments.
5. Consideration in Committee of Address for £3,000 towards the completion of the Asylum for Destitute Children at Randwick.
6. Resumption of the Adjourned Debate on Mr. Darvall's motion,—  
 " (1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risks of trade, and gives undue encouragement to speculation and the extension of credit.  
 " (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General."
7. Lunacy Jurisdiction Amendment Bill ; second reading.
8. Railway Works ; Resumption of the Committee to take evidence on.
9. Town Hall Site Exchange Bill ; second reading.
10. District Courts Act Amendment Bill ; second reading.
11. Enforcement of Claims against the Crown Bill ; second reading.
12. Seamen's Engagement Amendment Bill ; consideration in Committee of Legislative Council's Amendments.
13. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
14. Affiliated Colleges Act Amendment Bill ; second reading.
15. Neoropolis Act Extension Bill ; to be further considered in Committee.
16. Funds for Experimental Quartz Crushing Machine ; consideration in Committee of Address for.
17. Public Lands Bill ; second reading.
18. Land Tax Bill ; second reading.
19. Capital Punishments Abolition Bill ; second reading.
20. Law of Primogeniture Abolition Bill ; second reading.
21. Inquests concerning Fires Bill ; second reading.
22. Sydney Council Debentures Bill ; to be further considered in Committee.
23. Supreme Court Verdicts and Judgments Bill ; second reading.
24. Commissioner at Newcastle Appointment Bill ; second reading.
25. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
26. Moreton Bay Immigration and Land Company's Act Amendment Bill ; second reading.
27. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
28. New Trials Bill ; second reading.

Questions :—

1. MR. WINDEYER to ask THE HONORABLE THE PREMIER,—When will the road from Raymond Terrace to Seaham be proclaimed and open to the public ?
2. MR. PIDDINGTON to ask THE HONORABLE THE PREMIER,—Whether the Government intend to bring in a Bill to carry out the recommendation of the Select Committee of the Legislative Assembly on the so-called Church and School Lands of this Colony ?
3. MR. ASHER to ask THE HONORABLE THE PREMIER,—When the Government intend to establish a District Court at Deniliquin ; also, whether the Government intend to appoint a District Court Judge for the South-Western District, as recommended by the late Attorney General—or what changes the Government intend to make with reference to District Courts beyond Yass, so that Courts may be held more frequent than twice a year, as at present ?
4. MR. ASHER to ask THE HONORABLE THE SECRETARY FOR PUBLIC WORKS,—When the Government intend calling for Tenders for the erection of a Gaol at Albury, money having been already voted for that purpose ; also, do the Government intend calling for fresh Tenders for a Telegraph Office at same place, or do they intend continuing conducting that branch of business in the wooden box at present called a Telegraph Office ?

5. **MR. ASHER to ask THE HONORABLE THE PREMIER**,—Whether the Government have given instructions, or intend giving instructions, to have land surveyed into farms at the following places:—Twelve-mile Creek, Gerogery, and Mullengandra; also, are the Government aware that the land at the above places is well suited for agricultural purposes, and that numbers of persons are anxiously awaiting the sale of these lands?
6. **MR. HODGSON to ask THE HONORABLE THE SECRETARY FOR PUBLIC WORKS**,—
  - (1.) Whether the Government are aware that the steam dredge employed in deepening the Flats on the River Hunter, has been rendered comparatively useless by the withdrawal of the steam tug "Dooribang," sold by her late owner to Messrs. Brown, of Minmi?
  - (2.) Whether the nature of the contract between the Government and the owners of the "Dooribang," steamer, was such as to deprive the Government of the services of the above steamer at a moment's notice?
  - (3.) Whether any arrangements are now pending to supply her place?
7. **MR. HODGSON to ask THE HONORABLE THE PREMIER**,—When it will be convenient to the Government to lay upon the Table of this House the Correspondence moved for and ordered on the 3rd April last, in reference to Public Moneys received from Queensland?
8. **MR. TERRY to ask THE HONORABLE THE PREMIER**,—Whether the Government intend to appoint a Public Vaccine Officer at Mudgee, there being no Officer nearer than Hartley, a distance of 80 miles?
9. **MR. TERRY to ask THE HONORABLE THE COLONIAL TREASURER**,—On what grounds the First Landing Waiter at the Customs Department received a much larger salary than the other Landing Waiters, he having no additional responsibility?
10. **MR. HOSKINS to ask THE HONORABLE THE SECRETARY FOR LANDS**,—What is the extent of the application which has been made by Mr. Clark Irving, in reference to the purchase of land under pre-emptive right, upon a Government Reserve on the banks of the Richmond River; and whether it is the intention of the Government to alienate any portion of such lands to that gentleman?
11. **MR. HAY to ask THE HONORABLE THE COLONIAL TREASURER**,—
  - (1.) What has been the previous training of the gentlemen appointed to the charge of the new Customs Establishments at Albury and Moama?
  - (2.) What salaries have been allotted to those gentlemen?
  - (3.) Have any arrangements been concluded with the Victoria Government, with respect to the allowance of drawbacks?
  - (4.) Is the import of dutiable goods across the Boundary Line of Victoria at other points than Albury and Moama, to be prohibited?
12. **MR. HOSKINS to ask THE HONORABLE THE COLONIAL TREASURER**,—If the Collector of Customs has petitioned against the decision of the Board lately appointed to inquire into certain charges made by the Collector of Customs against Messrs. Metcalfe and Powell, and other Merchants; if so, whether there will be any objection to lay such Petition upon the Table of this House, together with any Correspondence relating thereto; and also, any Minute of the Executive, if any?

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WEDNESDAY, JUNE 6.

OTHER BUSINESS—NOTICE OF MOTION:—

1. **MR. WALKER to move**, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return specifying names and addresses of all Justices of the Peace who have resigned their Commissions since the 1st October, 1857.

T. A. MURRAY,  
Speaker.

[Price, 6d.]



No. 107.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

TUESDAY, 5 JUNE, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Retrenchment in the Public Expenditure :—Mr. McArthur, as Chairman, brought up a Progress Report from, and laid upon the Table, the Proceedings of, and Minutes of Evidence taken before, the Select Committee appointed on the 14th September last, on Retrenchment in the Public Expenditure, together with Appendix.  
Ordered to be printed.
2. Shell Harbour :—Mr. Gray presented a Petition from certain Residents of the Municipality of Shell Harbour and the Outskirts thereof, representing that they labor under considerable disadvantage owing to the existence of a Bar at the mouth of their Harbour,—and praying that the same may be removed.  
Petition received.
3. Seizure of Opium per "Kate Hooper" :—Mr. Hay, as Chairman, brought up the Report from, and laid upon the Table the Proceedings of, and Minutes of Evidence taken before, the Select Committee to whom was referred, on the 13th April last, the subject of Seizure of Opium per "Kate Hooper."  
Ordered to be printed.
4. Library Arrangements :—Dr. Lang moved, pursuant to notice standing in the name of Mr. Kemp,—  
(1.) That the Report from the Library Committee, dated 30th May, 1860, recommending certain Library Arrangements, brought up by Mr. Kemp, on behalf of the Chairman, and ordered to be printed, be now adopted by this House.  
(2.) That a Copy of the said "Report" be transmitted to the Governor General, with an Address requesting that His Excellency will be pleased to cause the necessary steps to be taken for carrying the same into effect.  
Mr. Piddington moved, That the Question be amended, by the insertion of the following new Section between Sections (1) and (2) as printed, viz :—  
(2.) That this House is of opinion that the new Refreshment Room ought not to be of less dimensions than the Room now used for that purpose ;—  
And of the words "and Resolution" after the word "Report" in Section (2) as printed.  
Debate ensued.  
Question, on the proposed Amendment, put and passed.  
Whereupon, Question,—  
(1.) That the Report from the Library Committee, dated 30th May, 1860, recommending certain Library Arrangements, brought up by Mr. Kemp on behalf of the Chairman, and ordered to be printed, be now adopted by this House.  
(2.) That this House is of opinion, that the new Refreshment Room ought not to be of less dimensions than the Room now used for that purpose  
(3.) That a Copy of the said Report and Resolution be transmitted to the Governor General, with an Address requesting that His Excellency will be pleased to cause the necessary steps to be taken for carrying the same into effect,—  
Put and passed.
5. Dean of St. Andrew's, Sydney :—Mr. Black moved, pursuant to notice, That the Report of the Select Committee on the subject of the appointment of the Dean of St. Andrew's, Sydney, laid upon the Table of this House on the 1st June, be now adopted by this House.  
Debate ensued.  
Mr. Darvall moved, That this debate be now adjourned until Friday next, to take precedence of all other Business on the Paper for that day.  
Question, on Mr. Darvall's motion, put and passed.
6. Motion withdrawn :—Dr. Lang withdrew the motion standing in his name, No. 3 on the Notice Paper for to-day.

7. Moreton Bay Immigration and Land Company:—Dr. Lang moved, pursuant to notice, That as the late Legislative Council passed an Act in the year 1855, to Incorporate a Company designated "The Moreton Bay Immigration and Land Company," and to afford the said Company the requisite facilities in the purchase of Land and the promotion of Immigration, for the growth of cotton in the Moreton Bay District, it is expedient and necessary that, in the event of funds being placed in the hands of the Land and Emigration Commissioners of the United Kingdom, under the provisions of the said Act, for the growth of cotton in the Clarence and Richmond River District, which was then supposed to be included in the Moreton Bay Country, but is still a part of New South Wales, notwithstanding the separation of Queensland, the said Company should be credited to the extent of eighty per cent. of such funds, in the purchase of land in that district, for the settlement of such emigrants.  
Debate ensued.  
Motion by leave withdrawn.
8. Postponements:—  
(1.) Mr. Jamison postponed the motion standing in the name of Mr. Hart, No. 5 on the Notice Paper for to-day, until to-morrow.  
(2.) Dr. Lang postponed the motion standing in the name of Mr. Clark Irving, No. 6 on the Notice Paper for to-day, until to-morrow.
9. Railway Works:—Mr. Parkes moved, pursuant to *amended* notice, That Mr. C. H. Storey, Inspector of Works on the Western Line of Railway Extension, be summoned to give Evidence on Thursday, 7th of June, or other subsequent day, before the Committee of this House on the construction of the Railway Works.  
Question put and passed.
10. Murray River Customs:—Mr. Hay moved, pursuant to *amended* notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Treaty concluded under the River Murray Customs Act, of all correspondence connected with a former establishment of a Custom House at Albury, with any opinion which may have been given by the Crown Law Officers relating thereto, and of all Correspondence which has taken place with the Governments of Victoria and South Australia, since the passing of that Act; also, of the Instructions addressed, or which may be addressed to the Officers of Customs lately appointed for Albury and Moama.  
Debate ensued.  
Question put and passed.
11. Motion dropped:—Mr. Lord not making the motion standing in his name, No. 9 on the Notice Paper for to-day, it dropped.
12. Amount paid to Officers of Customs for Overtime:—Mr. Lucas moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the amount paid to Officers of Customs for overtime, showing the services, the date of such services, for which overtime has been paid, and the total sum paid to each Officer.  
Question put and passed.
13. Chinese Immigration:—Mr. Lucas moved, pursuant to *amended* notice, That this House will, on Thursday next, resolve itself into a Committee of the Whole, to consider whether it is desirable to introduce a Bill to regulate Chinese Immigration by Penalty and other Restrictions.  
Question put and passed.
14. Postponement:—Mr. Cummings postponed the motion standing in his name, No. 12 on the Notice Paper for to-day, until Tuesday next.
15. Penrith Nepean Bridge Re-construction Bill:—  
(1.) Mr. Jamison moved, pursuant to notice, for leave to bring in a Bill to confer certain powers on the Penrith Nepean Bridge Company.  
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.  
(2.) Mr. Jamison having presented this Bill, and produced a Certificate that the sum of twenty-five pounds had been paid to the credit of the Consolidated Revenue, Bill, intituled "*The Penrith Nepean Bridge Company's Re-constructing Bill*," read a first time.
16. Common Law Procedure Act Extension Bill, on motion of Mr. Windeyer, read a second time.  
Whereupon, on motion of Mr. Windeyer, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the consideration of this Bill.  
The Chairman having reported the Bill without amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time to-morrow.
17. Postponement:—The second reading of the Additional Judge's Appointment Bill postponed, on motion of Mr. Darvall, until Thursday next.
18. Lien on Wool-Act Continuation Bill:—On motion of Mr. Mort, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the further consideration of the Amendments made in this Bill by the Legislative Council.  
The Chairman having reported, That the Committee had agreed to the Amendments made in this Bill by the Legislative Council,—  
Mr. Mort moved, That this House do now adopt the Amendments so agreed to.  
Question put and passed.

Whereupon,

Whereupon, Mr. Mort moved, That the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the Amendments made by the Legislative Council in the Bill, intituled "*An Act to make permanent the Lien on 'Wool Act.'*"

*Legislative Assembly Chamber,  
Sydney, 5th June, 1860.*

Speaker.

Question put and passed.

19. Newcastle Wallsend Coal Company's Railway Bill :—On motion of Mr. Hay, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the consideration of the Amendments made in this Bill by the Legislative Council.

The Chairman having reported that the Committee had agreed to the Amendments made in this Bill by the Legislative Council,—

Mr. Hay moved, That this House do now adopt the Amendments so agreed to.

Question put and passed.

Whereupon, Mr. Hay moved, That the following Message be carried to the Legislative Council.

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the Amendments made by the Legislative Council in the Bill, intituled "*An Act to enable certain persons carrying 'on business at Sydney, under the name or style of 'The Newcastle Wallsend Coal 'Company,' to construct a Railway from land near Newcastle belonging to them to, 'and to connect the same with the Great Northern Railway.'*"

*Legislative Assembly Chamber,  
Sydney, 5th June, 1860.*

Speaker.

Question put and passed.

20. Asylum for Destitute Children at Randwick :—On motion of Mr. Parkes, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1861, a sum of money not exceeding £8,000, towards the completion of the Asylum for Destitute Children at Randwick. The Chairman reported that the Committee had agreed to the following Resolution :—Resolved, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1861, a sum of money not exceeding £8,000, towards the completion of the Asylum for Destitute Children at Randwick.

Mr. Parkes then moved, That this House do now adopt this Resolution.

Question put and passed.

21. Postponement :—The resumption of the Adjourned Debate on Mr. Darvall's motion,—  
“(1.) That the practice of lending the Public Money at Interest is dangerous and  
“impolitic, because it exposes the Public Property to the risks of trade, and gives  
“undue encouragement to speculation and the extension of credit.  
“(2.) That the foregoing Resolution be communicated by Address to His Excellency  
“the Governor General,”—  
postponed, on motion of Mr. Forster, until to-morrow.

22. Lunacy Jurisdiction Amendment Bill :—Mr. Hart moved, That this Bill be “now,” read a second time.

Debate ensued.

Mr. Doniehy moved, That the Question be amended, by the omission of the word “now,” with a view to add the words “this day six months.”

Debate continued.

Question put,—That the word proposed to be omitted stand part of the Question,—  
And Division called for—

But there being no Tellers for the Ayes, no Division could be had, and the Speaker declared the Question to have passed in the Negative.

Question then—That the words proposed to be added be so added,—put and passed.

Whereupon, Question—That this Bill be read a second time this day six months,—  
put and passed.

The House adjourned, on motion of Mr. Robertson, at ten minutes before Twelve o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JUNE 6.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WALKER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return specifying names and addresses of all Justices of the Peace who have resigned their Commissions since the 1st October, 1857.
2. MR. PARKES to move, That the Order of the Day for the resumption of the Committee to take Evidence on the Railway Works, take precedence of all other Business on Thursday, June 7th.
3. MR. GRAY to move, That the Petition of the Inhabitants of Shell Harbour, presented by him on the 5th June, be printed.
4. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to direct that there be laid upon the Table of this House, with all convenient dispatch, a Return containing the following particulars respecting the several localities in this Colony from which communications have been received by the Government from the local authorities, or from any other source—from the 1st of January, 1858, to the 1st of May, 1860—respecting the want of a new gaol, watch-house, or lock-up, &c., or respecting the defective condition of any such buildings already existing :—
  - (1.) The name of each of the localities above referred to.
  - (2.) The names and offices (if holding any) of the persons making such communications to the Government.
  - (3.) The date of such communication.
  - (4.) The purport, in brief, of such communication.
  - (5.) The specific requirements or defects made known therein to the Government.
  - (6.) The purport, in brief, and date of the reply from the Government to such communication.
  - (7.) A summary statement of the measures adopted by the Government to meet the requirements and to remove the alleged defects in each case brought under their notice.
  - (8.) The date in each case when such remedial measures were commenced and terminated.
  - (9.) The name of the officer who received and replied to each of the above-mentioned communications.
5. MR. CLARK IRVING to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the present year, a sum not exceeding £200, to provide for the payment of a pension for Lady Mitchell, (widow of the late Sir Thomas Mitchell, formerly Surveyor General of this Colony.)
6. MR. CUMMINGS to move,—
  - (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
  - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
7. MR. JAMISON to move, That a Bill to confer certain powers on the Penrith Nepean Bridge Company, be referred to a Select Committee, consisting of the following Members :—Mr. Cummings, Mr. Clements, Mr. Samuel, Mr. Hyeronimus, Mr. Arnold, Mr. Mort, Mr. Flett, Mr. Atkinson, and the Mover.
8. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between Charles Ledger, Esquire, and the Government, on the subject of the management and final disposal of the Government flock of Alpacas, and the claims of Mr. Ledger for losses sustained by him in the introduction of those animals.

## ORDERS OF THE DAY :—

1. Common Law Procedure Act Extension Bill ; third reading.
2. Resumption of the Adjourned Debate on Mr. Darvall's motion,—
  - " (1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risk of trade, and gives undue encouragement to speculation and the extension of credit.
  - " (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General."
3. Railway Works ; Resumption of the Committee to take evidence on.
4. Town Hall Site Exchange Bill ; second reading.
5. District Courts Act Amendment Bill ; second reading.

6. Enforcement of Claims against the Crown Bill ; second reading.
7. Seamen's Engagement Amendment Bill ; consideration in Committee of Legislative Council's Amendments.
8. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
9. Affiliated Colleges Act Amendment Bill ; second reading.
10. Necropolis Act Extension Bill ; to be further considered in Committee.
11. Funds for Experimental Quartz Crushing Machine ; consideration in Committee of Address for.
12. Public Lands Bill ; second reading.
13. Land Tax Bill ; second reading.
14. Capital Punishments Abolition Bill ; second reading.
15. Law of Primogeniture Abolition Bill ; second reading.
16. Inquests concerning Fires Bill ; second reading.
17. Sydney Council Debentures Bill ; to be further considered in Committee.
18. Supreme Court Verdicts and Judgments Bill ; second reading.
19. Commissioner at Newcastle Appointment Bill ; second reading.
20. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
21. Moreton Bay Immigration and Land Company's Act Amendment Bill ; second reading.
22. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
23. New Trials Bill ; second reading.

*Questions :—*

1. MR. FORSTER *to ask* THE SECRETARY FOR LANDS,—  
(1.) Have the Police Authorities, by virtue of any instructions from the Government, ceased to enforce, or have they taken upon themselves to suspend the Act of Council, 6 William 4th, No. 4, commonly known as the "Dog Act" ?  
(2.) If such instructions have been issued, what is their nature, and in what shape do they exist ?
2. MR. FERRY *to ask* THE HONORABLE THE PREMIER,—Have the Government given permission to the Engineer for Harbors and Rivers to superintend the construction of a Pontoon Bridge over the Nepean River, for the Nepean Bridge Company ; if not, are the Government aware that by an advertisement in the *Sydney Morning Herald* of the 4th June, that persons desirous of tendering for the construction of the said Bridge are to apply to Mr. Moriarty, Engineer, &c., for the Company ?
3. MR. FORSTER *to ask* THE SECRETARY FOR LANDS,—Have any, and if any, what steps been taken by the Government to effect the transfer of the Church of England Registers from the hands of the Bishop's Secretary to the custody of the Registrar General or other such Public Officer ?
4. MR. MCARTHUR *to ask* THE SECRETARY FOR PUBLIC WORKS,—If it be true that a large number of laborers were employed upon the Railway Works between Liverpool and Campbelltown on Sunday, the 20th of May ?

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THURSDAY, JUNE 7.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. ROBERTSON *to move*, That this House, having taken into consideration the Message of the Governor General, No. 28, of the 28th February last, and the accompanying documents, is not disposed to object to the annexation to South Australia of the portion of land lying between South Australia and Western Australia.
2. MR. HAY *to move*,—  
(1.) That the Report of the Select Committee on the Seizure of Opium on board the "Kate Hooper," laid upon the Table of this House on 5th June, be now adopted by this House.  
(2.) That a Copy of the said Report, and the Evidence accompanying, be transmitted by Address to His Excellency the Governor General.

ORDERS OF THE DAY :—

1. Chinese Immigration Regulation Bill ; Consideration in Committee as to whether it is desirable to introduce this Bill.
2. Additional Judge's Appointment Bill ; second reading.

*Questions :—*

1. MR. OAKES *to ask* THE HONORABLE THE PREMIER,—As it appears that an offer has been made to complete the Railway to Goulburn within two years, whether the Government are prepared to state what course is proposed to be adopted to expedite its construction, now rendered a matter of absolute necessity in consequence of the anticipated influx of population to the South Country ?
2. MR. HOSKINS *to ask* THE SECRETARY FOR LANDS,—Whether the Government have arrived at any decision with reference to the charges preferred against Mr. Douglas, Gold Commissioner at Nundle ?

FRIDAY, JUNE 8.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Resumption of the Adjourned Debate on Mr. Black's motion,—“That the Report of the “Select Committee on the subject of the appointment of the Dean of St. Andrew's, “Sydney, laid upon the Table of this House on the 1st June, be now adopted by this “House.”

NOTICE OF MOTION:—

1. MR. ASHER to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1861, a sum not exceeding £500, towards the erection of a Mechanics' Institution at Albury; on condition that a similar amount be subscribed by the Committee of the said Institution.

Question:—

1. MR. ASHER to ask THE HONORABLE THE PREMIER,—Do the Government intend to afford the same facilities to the Port of Albury as to other Ports of Entry, by allowing Bonded Stores to be established there, and dutiable goods brought there under bond?

T. A. MURRAY,  
*Speaker.*

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[Price, 6d.]

No. 108.

## VOTES AND PROCEEDINGS

OF THE

# LEGISLATIVE ASSEMBLY.

WEDNESDAY, 6 JUNE, 1860.

1. There being only Nineteen Members present, exclusive of the Speaker,—namely, Mr. Arnold, Mr. Black, Mr. J. Campbell, Mr. Clements, Mr. Farnell, Mr. Forster, Mr. Gray, Mr. Hart, Mr. Hodgson, Mr. Hoskins, Mr. Kemp, Mr. McArthur, Mr. Parkes, Mr. Pemell, Mr. Piddington, Mr. Robertson, Mr. Terry, Mr. Weekes, and Mr. Wilson,—The Speaker took the Chair, and adjourned the House, at half-past Three o'clock, until To-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JUNE 7.

### GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. ROBERTSON to move, That this House, having taken into consideration the Message of the Governor General, No. 28, of the 28th February last, and the accompanying documents, is not disposed to object to the annexation to South Australia of the portion of land lying between South Australia and Western Australia.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HAY to move,—
  - (1.) That the Report of the Select Committee on the Seizure of Opium on board the "Kate Hooper," laid upon the Table of this House on 5th June, be now adopted by this House.
  - (2.) That a Copy of the said Report, and the Evidence accompanying, be transmitted by Address to His Excellency the Governor General.
2. MR. WALKER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return specifying names and addresses of all Justices of the Peace who have resigned their Commissions since the 1st October, 1857.
3. MR. PARKES to move, That the Order of the Day for the resumption of the Committee to take Evidence on the Railway Works, take precedence of all other Business on Thursday, June 7th.
4. MR. GRAY to move, That the Petition of the Inhabitants of Shell Harbour, presented by him on the 5th June, be printed.
5. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to direct that there be laid upon the Table of this House, with all convenient dispatch, a Return containing the following particulars respecting the several localities in this Colony from which communications have been received by the Government from the local authorities, or from any other source—from the 1st of January, 1858, to the 1st of May, 1860—respecting the want of a new gaol, watch-house, or lock-up, &c., or respecting the defective condition of any such buildings already existing :—
  - (1.) The name of each of the localities above referred to.
  - (2.) The names and offices (if holding any) of the persons making such communications to the Government.
  - (3.) The date of such communication.
  - (4.) The purport, in brief, of such communication.
  - (5.) The specific requirements or defects made known therein to the Government.
  - (6.) The purport, in brief, and date of the reply from the Government to such communication.
  - (7.)

- (7.) A summary statement of the measures adopted by the Government to meet the requirements and to remove the alleged defects in each case brought under their notice.
  - (8.) The date in each case when such remedial measures were commenced and terminated.
  - (9.) The name of the officer who received and replied to each of the above-mentioned communications.
6. MR. CLARK IRVING to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the present year, a sum not exceeding £200, to provide for the payment of a pension for Lady Mitchell, (widow of the late Sir Thomas Mitchell, formerly Surveyor General of this Colony.)
  7. MR. CUMMINGS to move,—
    - (1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst and Goulburn—and this House pledges itself to co-operate with the Government in their endeavour to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts do materially depend.
    - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
  8. MR. JAMISON to move, That a Bill to confer certain powers on the Penrith Nepean Bridge Company, be referred to a Select Committee, consisting of the following Members:—Mr. Cummings, Mr. Clements, Mr. Samuel, Mr. Hyeronimus, Mr. Arnold, Mr. Mort, Mr. Flett, Mr. Atkinson, and the Mover.
  9. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between Charles Ledger, Esquire, and the Government, on the subject of the management and final disposal of the Government flock of Alpacas, and the claims of Mr. Ledger for losses sustained by him in the introduction of those animals.

#### ORDERS OF THE DAY :—

1. Chinese Immigration Regulation Bill ; Consideration in Committee as to whether it is desirable to introduce this Bill.
2. Additional Judge's Appointment Bill ; second reading.
3. Common Law Procedure Act Extension Bill ; third reading.
4. Resumption of the Adjourned Debate on Mr. Darvall's motion,—
  - " (1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risk of trade, and gives undue encouragement to speculation and the extension of credit.
  - " (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General."
5. Railway Works ; Resumption of the Committee to take evidence on.
6. Town Hall Site Exchange Bill ; second reading.
7. District Courts Act Amendment Bill ; second reading.
8. Enforcement of Claims against the Crown Bill ; second reading.
9. Seamen's Engagement Amendment Bill ; consideration in Committee of Legislative Council's Amendments.
10. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
11. Affiliated Colleges Act Amendment Bill ; second reading.
12. Neeropolis Act Extension Bill ; to be further considered in Committee.
13. Funds for Experimental Quartz Crushing Machine ; consideration in Committee of Address for.
14. Public Lands Bill ; second reading.
15. Land Tax Bill ; second reading.
16. Capital Punishments Abolition Bill ; second reading.
17. Law of Primogeniture Abolition Bill ; second reading.
18. Inquests concerning Fires Bill ; second reading.
19. Sydney Council Debentures Bill ; to be further considered in Committee.
20. Supreme Court Verdicts and Judgments Bill ; second reading.
21. Commissioner at Newcastle Appointment Bill ; second reading.
22. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
23. Moreton Bay Immigration and Land Company's Act Amendment Bill ; second reading.
24. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
25. New Trials Bill ; second reading.

#### Questions :—

1. MR. OAKES to ask THE HONORABLE THE PREMIER,—As it appears that an offer has been made to complete the Railway to Goulburn within two years, whether the Government are prepared to state what course is proposed to be adopted to expedite its construction, now rendered a matter of absolute necessity in consequence of the anticipated influx of population to the South Country?



2. **MR. HOSKINS to ask THE SECRETARY FOR LANDS**,—Whether the Government have arrived at any decision with reference to the charges preferred against Mr. Douglas, Gold Commissioner at Nundle?
3. **MR. FORSTER to ask THE SECRETARY FOR LANDS**,—  
 (1.) Have the Police Authorities, by virtue of any instructions from the Government, ceased to enforce, or have they taken upon themselves to suspend the Act of Council, 6 William 4th, No. 4, commonly known as the "Dog Act"?  
 (2.) If such instructions have been issued, what is their nature, and in what shape do they exist?
4. **MR. TERRY to ask THE HONORABLE THE PREMIER**,—Have the Government given permission to the Engineer for Harbors and Rivers to superintend the construction of a Pontoon Bridge over the Nepean River, for the Nepean Bridge Company; if not, are the Government aware that by an advertisement in the *Sydney Morning Herald* of the 4th June, that persons desirous of tendering for the construction of the said Bridge are to apply to Mr. Moriarty, Engineer, &c., for the Company?
5. **MR. FORSTER to ask THE SECRETARY FOR LANDS**,—Have any, and if any, what steps been taken by the Government to effect the transfer of the Church of England Registers from the hands of the Bishop's Secretary to the custody of the Registrar General or other such Public Officer?
6. **MR. MCARTHUR to ask THE SECRETARY FOR PUBLIC WORKS**,—If it be true that a large number of laborers were employed upon the Railway Works between Liverpool and Campbelltown on Sunday, the 20th of May?

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FRIDAY, JUNE 8.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Resumption of the Adjourned Debate on Mr. Black's motion,—“That the Report of the “Select Committee on the subject of the appointment of the Dean of St. Andrew's, “Sydney, laid upon the Table of this House on the 1st June, be now adopted by this “House.”

NOTICE OF MOTION:—

1. **MR. ASHER to move**, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1861, a sum not exceeding £500, towards the erection of a Mechanics' Institution at Albury; on condition that a similar amount be subscribed by the Committee of the said Institution.

Question:—

1. **MR. ASHER to ask THE HONORABLE THE PREMIER**,—Do the Government intend to afford the same facilities to the Port of Albury as to other Ports of Entry, by allowing Bonded Stores to be established there, and dutiable goods brought there under bond?

T. A. MURRAY,  
Speaker.



No. 109.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

THURSDAY, 7 JUNE, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Member Sworn :—Joseph Eckford, Esquire, having taken the Oath and subscribed the Roll, took his Seat as Member for the Electoral District of Wollombi.
2. Postponements :—  
(1.) Mr. Robertson postponed the motion standing in his name, No. 1 on the Notice Paper of Government Business for to-day, until to-morrow.  
(2.) Mr. Hay postponed the motion standing in his name, No. 1 on the Notice Paper of Other Business for to-day, until Tuesday next.
3. Motion withdrawn :—Mr. Walker withdrew the motion standing in his name, No. 2 on the Notice Paper of Other Business for to-day.
4. Railway Works :—  
(1.) Mr. Parkes moved, pursuant to amended notice,—That the Order of the Day for the resumption of the Committee to take Evidence on the Railway Works, take precedence of all other Business for this day.  
Debate ensued.  
Question put.  
The House divided.

Ayes, 23.

Mr. Robertson,	Mr. Irving,	
Mr. Weekes,	Mr. Blake,	
Mr. Cummings,	Mr. Farnell,	
Mr. Parkes,	Mr. Macleay,	
Mr. McArthur,	Rev. Dr. Lang,	
Mr. Hart,	Mr. Wilson,	
Mr. Windeyer,	Mr. Gray,	
Mr. Oxley,	Mr. Dickson,	} Tellers.
Mr. Arnold,	Mr. Eckford,	
Mr. Hyeronimus,		
Mr. Atkinson,		
Mr. Laycock,		
Mr. Pemell,		
Mr. Flett,		

Noes, 14.

Mr. Kemp,	
Mr. Darvall,	
Mr. Hay,	
Mr. Mort,	
Mr. Egan,	
Mr. Piddington,	
Mr. Hoskins,	
Mr. Jamison,	
Mr. Hamilton,	
Mr. Forster,	
Mr. Samuel,	
Mr. Black,	
Mr. Walker,	} Tellers.
Mr. Clements,	

(2.) Order of the Day, No. 5, then read,—

Whereupon the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, to take Evidence on Railway Works.

The Chairman having reported progress, and asked leave to sit again immediately after the Notices of Motion shall have been disposed of,—

Question proposed,—That leave be granted to the Committee to sit again immediately after the "Notices of Motion" shall have been disposed of.

Motion made by Mr. Darvall, and Question put,—That the Question be amended, by the insertion, after the words "Notices of Motion," of the words "and the first four Orders of the Day."

The House divided.

Ayes, 14.

Mr. Jamison,	
Mr. Hoskins,	
Mr. Samuel,	
Mr. Forster,	
Mr. Deniehy,	
Mr. Mort,	
Mr. Darvall,	
Mr. Farnell,	
Mr. Walker,	
Mr. Clements,	
Mr. Hay,	
Mr. Black,	
Mr. Blake,	} Tellers.
Mr. Piddington,	

Noes, 23.

Mr. Robertson,	Mr. Gray,	
Mr. Weekes,	Mr. Dickson,	
Mr. Hart,	Mr. Eckford,	
Mr. Cummings,	Mr. Oxley,	
Mr. Kemp,	Rev. Dr. Lang,	
Mr. Parkes,	Mr. Arnold,	
Mr. Pemell,	Mr. Macleay,	
Mr. Flett,	Mr. Windeyer,	} Tellers.
Mr. Egan,	Mr. McArthur,	
Mr. Atkinson,		
Mr. Laycock,		
Mr. Irving,		
Mr. Hyeronimus,		
Mr. Wilson,		

Whereupon Original Question put and passed.

5.

5. Shell Harbour:—Mr. Gray moved, pursuant to notice, That the Petition of the Inhabitants of Shell Harbour, presented by him on the 5th June, be printed.  
Question put and passed.  
Ordered to be printed.

6. Want, or Defective Condition, of Gaols, Watch-houses, or Lock-ups:—Mr. Hart moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to direct that there be laid upon the Table of this House, with all convenient dispatch, a Return containing the following particulars respecting the several localities in this Colony from which communications have been received by the Government from the local authorities, or from any other source—from the 1st of January, 1858, to the 1st of May, 1860—respecting the want of a new gaol, watch-house, or lock-up, &c, or respecting the defective condition of any such buildings already existing:—

- (1.) The name of each of the localities above referred to.
- (2.) The names and offices (if holding any) of the persons making such communications to the Government.
- (3.) The date of such communication.
- (4.) The purport, in brief, of such communication.
- (5.) The specific requirements or defects made known therein to the Government.
- (6.) The purport, in brief, and date of the reply from the Government to such communication.
- (7.) A summary statement of the measures adopted by the Government to meet the requirements and to remove the alleged defects in each case brought under their notice.
- (8.) The date in each case when such remedial measures were commenced and terminated.
- (9.) The name of the officer who received and replied to each of the above-mentioned communications.

Debate ensued.

7. Assent to Bill:—The following Message from His Excellency the Governor General received and read:—

W. DENISON,

Message No. 42.

Governor General.

A Bill, intituled "*An Act to Incorporate Wesley College as a College within the University of Sydney*," as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,

Sydney, 7th June, 1860.

8. Want, or Defective Condition, of Gaols, Watch-houses, or Lock-ups:—The Debate on this subject, interrupted by the foregoing Message, resumed.  
Motion by leave withdrawn.

9. Condition of the Bathurst Road:—Mr. Cummings brought up the Report from, and laid upon the Table the Proceedings of, and Minutes of Evidence taken before, the Select Committee, appointed on the 9th December last, to inquire into the condition of the Bathurst Road.

Ordered to be printed.

10. Motion withdrawn:—Mr. Clark Irving withdrew the motion standing in his name, No. 6 on the Notice Paper of Other Business for to-day.

11. Railway Extension:—Mr. Cummings moved, pursuant to amended notice,—

(1.) That it is the opinion of this House that the most energetic steps, consistent with due attention to the means and credit of the Country, should be taken for the Extension of Railroads to Bathurst, Goulburn, and to the Northward—and this House pledges itself to co-operate with the Government in their endeavours to carry out works upon the completion of which the prosperity of the whole Country, and, more especially, the Western Districts, materially depends.

(2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.

Debate ensued.

Question put and passed.

12. Hawkesbury Benevolent Society's Act Amendment Bill:—The Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to amend the Hawkesbury Benevolent Society's Act of Incorporation*," with the Amendment indicated by the accompanying Schedule, in which Amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,

Sydney, 7th June, 1860.

W. W. BURTON,

President.

Mr. Parkes moved, That the consideration in Committee of the Amendment made by the Legislative Council in this Bill stand an Order of the Day for Tuesday next.  
Question put and passed,

13. Penrith Nepean Bridge Re-construction Bill :—Mr. Jamison moved, pursuant to notice, That a Bill to confer certain powers on the Penrith Nepean Bridge Company, be referred to a Select Committee, consisting of the following Members :—Mr. Cummings, Mr. Clements, Mr. Samuel, Mr. Hyeronimus, Mr. Arnold, Mr. Mort, Mr. Flett, Mr. Atkinson, and the Mover.  
Question put and passed.
14. Flock of Alpacas and Claims of Mr. Ledger :—Mr. Parkes moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between Charles Ledger, Esquire, and the Government, on the subject of the management and final disposal of the Government flock of Alpacas, and the claims of Mr. Ledger for losses sustained by him in the introduction of those animals.  
Debate ensued.  
Question put and passed.
15. Postponements :—  
(1.) The Resumption of the Committee to take Evidence on Railway Works postponed, on motion of Mr. Parkes, until Wednesday next,—to take precedence of all other Business on the Paper for that day.  
(2.) The consideration in Committee, as to whether it is desirable to introduce a Chinese Immigration Regulation Bill, postponed, on motion of Mr. Parkes, until Tuesday next.  
(3.) The second reading of the Additional Judge's Appointment Bill postponed, on motion of Mr. Parkes, until to-morrow,—to take precedence next after the Order of the Day for the resumption of the Adjourned Debate on Mr. Black's motion respecting the Dean of St. Andrew's, Sydney.
16. Common Law Procedure Act Extension Bill, on motion of Mr. Faucett, read a third time, and passed.  
Mr. Faucett then moved, That the Title of this Bill be "*An Act to extend to Criminal Trials the Provisions contained in the Fifty-eighth, Fifty-ninth, and Sixtieth Sections of the Common Law Procedure Act of 1857.*"  
Question put and passed.  
Whereupon Mr. Faucett moved, That this Bill be carried to the Legislative Council, with the following Message :—  
MR. PRESIDENT,  
The Legislative Assembly having this day passed a Bill, intituled—"*An Act to extend to Criminal Trials the Provisions contained in the Fifty-eighth, Fifty-ninth, and Sixtieth Sections of the Common Law Procedure Act of 1857,*" presents the same to the Legislative Council for its concurrence.  
*Legislative Assembly Chamber,*  
*Sydney, 7th June, 1860.* Speaker.
- Question put and passed.
17. Postponement :—The Resumption of the Adjourned Debate on Mr. Darvall's motion—  
"(1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risk of trade, and gives undue encouragement to speculation and the extension of credit.  
(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General,"—  
postponed, on motion of Mr. Forster, until Tuesday next.
18. Town Hall Site Exchange Bill, on motion of Mr. Faucett, read a second time.  
Whereupon, on motion of Mr. Faucett, the Speaker left the Chair, and the House 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 Wednesday next.
19. Postponements :—  
(1.) The second reading of the District Courts Act Amendment Bill postponed, on motion of Mr. Windeyer, until this day week.  
(2.) The second reading of the Enforcement of Claims against the Crown Bill postponed, on motion of Mr. Forster, until Tuesday next.
20. Seamen's Engagement Amendment Bill :—On motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Amendments made by the Legislative Council in this Bill.  
The Chairman having reported that it was discovered, on a Division, that there was not a Quorum present in the Committee, the Speaker, declaring that there was not a Quorum of Members present, adjourned the House at half-past Ten o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JUNE 8.

### OTHER BUSINESS—ORDERS OF THE DAY :—

1. Resumption of the Adjourned Debate on Mr. Black's motion,—"*That the Report of the Select Committee on the subject of the appointment of the Dean of St. Andrew's, Sydney, laid upon the Table of this House on the 1st June, be now adopted by this House.*"
2. Additional Judge's Appointment Bill; second reading.

NOTICES

## NOTICES OF MOTION:—

1. MR. ASHER to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1861, a sum not exceeding £500, towards the erection of a Mechanics' Institution at Albury; on condition that a similar amount be subscribed by the Committee of the said Institution.
2. MR. LORD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, and other papers having reference to the case of Mr. N. L. Kentish.
3. MR. DICKSON to move,—
  - (1.) That the Report of the Select Committee on the Maitland Pasturage Reserve, laid upon the Table of this House on the 25th May last, be now adopted.
  - (2.) That an Address be presented to His Excellency the Governor General, transmitting a copy of the same.

## ORDERS OF THE DAY:—

1. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
2. Affiliated Colleges Act Amendment Bill; second reading.
3. Necropolis Act Extension Bill; to be further considered in Committee.
4. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
5. Public Lands Bill; second reading.
6. Land Tax Bill; second reading.
7. Capital Punishments Abolition Bill; second reading.
8. Law of Primogeniture Abolition Bill; second reading.
9. Inquests concerning Fires Bill; second reading.
10. Sydney Council Debentures Bill; to be further considered in Committee.
11. Supreme Court Verdicts and Judgments Bill; second reading.
12. Commissioner at Newcastle Appointment Bill; second reading.
13. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
14. Moroton Bay Immigration and Land Company's Act Amendment Bill; second reading.
15. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
16. New Trials Bill; second reading.

## GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. ROBERTSON to move, That this House, having taken into consideration the Message of the Governor General, No. 28, of the 28th February last, and the accompanying documents, is not disposed to object to the annexation to South Australia of the portion of land lying between South Australia and Western Australia.

## Question:—

1. MR. ASHER to ask THE HONORABLE THE PREMIER,—Do the Government intend to afford the same facilities to the Port of Albury as to other Ports of Entry, by allowing Bonded Stores to be established there, and dutiable goods brought there under bond?

TUESDAY, JUNE 12.

## OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. HAY to move,—
  - (1.) That the Report of the Select Committee on the Seizure of Opium on board the "Kate Hooper," laid upon the Table of this House on 5th June, be now adopted by this House.
  - (2.) That a Copy of the said Report, and the Evidence accompanying, be transmitted by Address to His Excellency the Governor General.

## ORDERS OF THE DAY:—

1. Hawkesbury Benevolent Society's Act Amendment Bill; Consideration in Committee of Legislative Council's Amendment.
2. Chinese Immigration Regulation Bill; Consideration in Committee as to whether it is desirable to introduce this Bill.
3. Resumption of the Adjourned Debate on Mr. Darvall's motion,—
  - "(1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risk of trade, and gives undue encouragement to speculation and the extension of credit.
  - "(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General."
4. Enforcement of Claims against the Crown Bill; second reading.

Question:—

**Question :—**

1. **MR. HART to ask THE SECRETARY FOR PUBLIC WORKS,**—What steps have been taken by the Government towards obtaining Designs for New Houses of Parliament and Public Offices, further than the Advertisement which appeared in the *Gazette* of the 1st instant, offering certain prizes therefor?

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**WEDNESDAY, JUNE 13.**

**OTHER BUSINESS—ORDERS OF THE DAY :—**

1. Railway Works; Resumption of the Committee to take Evidence on.
2. Town Hall Site Exchange Bill; to be further considered in Committee.

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**THURSDAY, JUNE 14.**

**OTHER BUSINESS—ORDER OF THE DAY :—**

1. District Courts Act Amendment Bill; second reading.

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**THURSDAY, JUNE 21.**

**OTHER BUSINESS—NOTICE OF MOTION :—**

1. **DR. LANG** to move, That, in the opinion of this House, it is expedient and necessary that a separate and distinct Department should be created in the Executive of this Colony, under the designation of the Ministry of Public Instruction or Education; that the Head of such Department should be a Cabinet Minister; and that all Educational and Charitable Institutions, throughout the Colony, receiving support or aid from the Public Treasury, should be under his superintendence and control.

**T. A. MURRAY,**  
*Speaker.*

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[Price, 6d.]





No. 110.

# VOTES AND PROCEEDINGS

## OF THE

# LEGISLATIVE ASSEMBLY.

FRIDAY, 8 JUNE, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Question of Order,—*New Notices of Motion as affected by an Order of the Day having special precedence*:—Mr. Kemp, drawing attention to the occasional practice of giving to a particular Order of the Day precedence over all other Orders, and also over all Notices of Motion, and to the habitual rejection of New Notices after such precedent Order has been read,—requested the ruling of the Speaker as to whether the reading of an Order having such occasional precedence should be considered as “proceeding to the Orders of the Day” in the parliamentary sense which excludes the reception of New Notices.  
 The Speaker stated, that whatever his opinion might be as to the hardship or otherwise of the proceeding referred to, he considered himself bound by the Standing Orders of the House; and that he interpreted the 26th Standing Order (which declares that “No Notice of Motion shall be received after the House shall have “proceeded to the Orders of the Day”) to apply as well to any Order of the Day having special precedence as to the Orders of the Day collectively in their usual arrangement. It was however open to any Honorable Member, after due notice, to move the reconsideration of any Standing Order by the proper Committee.
2. Sydney University:—Mr. Wilson, on behalf of the Chairman, brought up the Report from, and laid upon the Table the Proceedings of, and Minutes of Evidence taken before, the Select Committee, appointed on the 13th September last, to inquire into the present state of the Sydney University,—together with Appendix.  
 Ordered to be printed.
3. Dean of St. Andrew's, Sydney:—The Adjourned Debate on Mr. Black's motion,—“‘That’ the Report of the Select Committee on the subject of the Appointment of ‘the Dean of St. Andrew's, Sydney, laid upon the Table of this House on the 1st ‘June, be now adopted by this House,’”—resumed.  
 Mr. Darvall moved, That the Question be amended by the omission of all the words following the word “That,” with a view to the insertion in their place of the words, “in the opinion of this House the payment of a Salary to the Dean of Sydney, out of the Funds reserved under Schedule C, is not warranted by Law.”  
 Debate continued.  
 Question put,—That the words proposed to be omitted stand part of the Question.  
 The House divided.

Ayes, 22.

Mr. Robertson,	Mr. Cummings,
Mr. Oakes,	Mr. Clements,
Mr. Weekes,	Mr. Gray,
Mr. Arnold,	Mr. Asher,
Mr. Irving,	Mr. Laycock,
Mr. Terry,	Mr. Flett,
Mr. Eckford,	Mr. Hyeronimus,
Mr. Farnell,	Mr. Kemp,
Mr. Oxley,	Mr. Mort,
Mr. Scott,	Mr. Gordon,
Mr. Egan,	Mr. Blake,

} Tellers.

Noes, 16.

Mr. Faucett,	Mr. Macleay,
Mr. Hodgson,	Mr. Piddington,
Mr. Parkes,	Mr. Darvall,
Mr. Wilson,	Mr. Hoskins,
Mr. Windeyer,	Mr. Black,
Rev. Dr. Lang,	
Mr. McArthur,	
Mr. Dickson,	
Mr. Hay,	
Mr. Forster,	
Mr. Deniehy,	

} Tellers.

Whereupon original Question put.  
 The House divided.

Ayes, 9.

Mr. Windeyer,
Mr. Wilson,
Mr. Darvall,
Mr. Dickson,
Mr. Macleay,
Mr. Forster,
Mr. Deniehy,
Mr. Piddington,
Mr. Black,

} Tellers.

Noes, 26.

Mr. Robertson,	Mr. Flett,
Mr. Weekes,	Mr. Laycock,
Mr. Blake,	Mr. Hyeronimus,
Mr. Mort,	Mr. Oxley,
Mr. Clements,	Mr. Irving,
Mr. Egan,	Mr. Farnell,
Mr. Cummings,	Mr. Scott,
Mr. Faucett,	Mr. Terry,
Mr. Hodgson,	Mr. Eckford,
Mr. Parkes,	Mr. Kemp,
Mr. Hoskins,	Mr. Gordon,
Mr. Gray,	Mr. Oakes,
Mr. Asher,	Mr. Arnold,

} Tellers.

4. Proposed Adjournment :—Mr. Robertson moved, That this House do now adjourn until Three o'clock, on Tuesday next.  
Debate ensued.  
Question put.  
The House divided.

## Ayes, 16.

Mr. Robertson,	Mr. Egan,	} Tellers.
Mr. Oakes,	Mr. Wilson,	
Mr. Arnold,	Mr. Cummings,	
Mr. Dickson,	Mr. Terry,	
Mr. Laycock,	Mr. Gray,	
Mr. Hyeronimus,	Mr. Weekes,	
Mr. Scott,	Mr. Asher,	
Mr. Eckford,	Mr. Gordon,	

## Noes, 16.

Mr. Faucett,	Rev. Dr. Lang,	} Tellers.
Mr. Denichy,	Mr. Farnell,	
Mr. Black,	Mr. Kemp,	
Mr. Piddington,	Mr. Hoskins,	
Mr. Parkes,	Mr. Blake,	
Mr. Forster,	Mr. Darvall,	
Mr. Flett,	Mr. Clements,	
Mr. Macleay,	Mr. Windeyer,	

The Numbers being equal, the Speaker, in order to admit of the Public Business being proceeded with, gave his Vote with the Noes, and declared the Question to have passed in the *Negative*.

5. Additional Judge's Appointment Bill :—Mr. Darvall moved, That this Bill be now read a second time.  
Motion made by Mr. Blake, and Question put and passed,—That this Debate be now adjourned until Tuesday next—to take precedence of all other Business on the Paper for that day.  
The House adjourned, on motion of Mr. Robertson, at twenty minutes after Ten o'clock, until Tuesday next, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JUNE 12.

## OTHER BUSINESS—ORDER OF THE DAY :—

1. Resumption of the Adjourned Debate on Mr. Darvall's motion,—“That the Additional “Judge's Appointment Bill be now read a second time.”

## NOTICES OF MOTION :—

1. MR. HAY to move,—
  - (1.) That the Report of the Select Committee on the Seizure of Opium on board the “Kate Hooper,” laid upon the Table of this House on 5th June, be now adopted by this House.
  - (2.) That a Copy of the said Report, and the Evidence accompanying, be transmitted by Address to His Excellency the Governor General.
2. MR. MCARTHUR to move,—
  - (1.) That in the opinion of this House the employment of laborers on the Sabbath Day is highly improper, except in cases of most urgent necessity.
  - (2.) That such employment, especially by the Government, is calculated to exert an injurious influence upon the religious, moral, and physical well-being of the community at large.
3. MR. SAMUEL to move, That the Resumption of the Committee of the Whole to take into consideration the Amendments made by the Legislative Council in the Seamen's Engagement Amendment Bill, which lapsed for want of a Quorum in the Committee on Thursday, the 7th June, stand an Order of the Day for to-morrow.
4. MR. ASHER to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1861, a sum not exceeding £500, towards the erection of a Mechanics' Institution at Albury; on condition that a similar amount be subscribed by the Committee of the said Institution.
5. MR. LORD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, and other papers having reference to the case of Mr. N. L. Kentish.
6. MR. DICKSON to move,—
  - (1.) That the Report of the Select Committee on the Maitland Pasturage Reserve, laid upon the Table of this House on the 25th May last, be now adopted.
  - (2.) That an Address be presented to His Excellency the Governor General, transmitting a copy of the same.

ORDERS

## ORDERS OF THE DAY:—

1. Hawkesbury Benevolent Society's Act Amendment Bill; consideration in Committee of Legislative Council's Amendment.
2. Chinese Immigration Regulation Bill; consideration in Committee as to whether it is desirable to introduce this Bill.
3. Resumption of the Adjourned Debate on Mr. Daryall's motion,—  
 " (1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risk of trade, and gives undue encouragement to speculation and the extension of credit.  
 " (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General."
4. Enforcement of Claims against the Crown Bill; second reading.
5. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
6. Affiliated Colleges Act Amendment Bill; second reading.
7. Necropolis Act Extension Bill; to be further considered in Committee.
8. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
9. Public Lands Bill; second reading.
10. Land Tax Bill; second reading.
11. Capital Punishments Abolition Bill; second reading.
12. Law of Primogeniture Abolition Bill; second reading.
13. Inquests concerning Fires Bill; second reading.
14. Sydney Council Debentures Bill; to be further considered in Committee.
15. Supreme Court Verdicts and Judgments Bill; second reading.
16. Commissioner at Newcastle Appointment Bill; second reading.
17. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
18. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
19. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
20. New Trials Bill; second reading.

## GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. ROBERTSON to move, That this House, having taken into consideration the Message of the Governor General, No. 28, of the 28th February last, and the accompanying documents, is not disposed to object to the annexation to South Australia of the portion of land lying between South Australia and Western Australia.

## Questions:—

1. MR. HART to ask THE SECRETARY FOR PUBLIC WORKS,—What steps have been taken by the Government towards obtaining Designs for New Houses of Parliament and Public Offices, further than the Advertisement which appeared in the *Gazette* of the 1st instant, offering certain prizes therefor?
2. MR. CLEMENTS to ask THE SECRETARY FOR PUBLIC WORKS,—If he is aware that in consequence of the time of the train leaving Parramatta in the morning, the daily Mail from Bathurst is not delivered in Sydney until 1 P.M.—by which much inconvenience is occasioned?
3. MR. LAYCOCK to ask THE SECRETARY FOR PUBLIC WORKS,—Whether the Government contemplate making the necessary repairs to the Dam at Liverpool, forthwith?
4. MR. FARNELL to ask THE SECRETARY FOR LANDS,—When the Road from Pitt Water to Manly Beach will be proclaimed, and open to the Public?
5. MR. FARNELL to ask THE HONORABLE THE PREMIER,—Whether the Government are aware of the crowded state of the Lunatic Asylum, Tarban Creek; if so, whether it is the intention of the Government forthwith to make any additions or alterations to the said Asylum, so as to provide for the health and comfort of the patients?

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WEDNESDAY, JUNE 13.

## OTHER BUSINESS—ORDERS OF THE DAY:—

1. Railway Works; Resumption of the Committee to take Evidence on.
2. Town Hall Site Exchange Bill; to be further considered in Committee.

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THURSDAY, JUNE 14.

## OTHER BUSINESS—ORDER OF THE DAY:—

1. District Courts Act Amendment Bill; second reading.

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FRIDAY,

FRIDAY, JUNE 15.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. TERRY to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1861, a sum not exceeding £40, for a Public Vaccine Officer at Nudjee.
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THURSDAY, JUNE 21.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG to move, That, in the opinion of this House, it is expedient and necessary that a separate and distinct Department should be created in the Executive of this Colony, under the designation of the Ministry of Public Instruction or Education; that the Head of such Department should be a Cabinet Minister; and that all Educational and Charitable Institutions, throughout the Colony, receiving support or aid from the Public Treasury, should be under his superintendence and control.

T. A. MURRAY,  
*Speaker.*

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[Price, 6d.]

No. 111.

# VOTES AND PROCEEDINGS

## OF THE

# LEGISLATIVE ASSEMBLY.

TUESDAY, 12 JUNE, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Paper:—Mr. Robertson laid upon the Table the Return to Address in reference to Irregular Election for the Electoral District of "The Tumut," adopted, on motion of Mr. Deniehy, on the 1st instant.  
Ordered to be printed.
2. The Clerk Summoned:—The Speaker having informed the House that the Clerk had been summoned to attend at the Central Police Office, Sydney, on Wednesday, the 13th instant, at Ten o'clock, there and then to produce certain Depositions in the cases of *Regina v. Skerrett*, and *Regina v. Kelly* (*the same having been handed in to the Select Committee of the Legislative Assembly on the case of Charles Skerrett, of which W. M. Arnold, Esquire, is Chairman*); and having reminded the House that the Clerk could not comply with such summons without leave of the House,—  
Put a Question,—That the Clerk have leave to comply with the said summons, personally, or by one of his assistants, as may be most convenient to the business of this House,—which passed in the affirmative.
3. Penrith Nepean Bridge Re-construction Bill:—Mr. Jamison, as Chairman, brought up the Report from, and laid upon the Table the Proceedings of, and Minutes of Evidence taken before, the Select Committee, for whose consideration and report this Bill was referred on the 7th instant.  
Ordered to be printed;—  
Whereupon, on motion of Mr. Jamison, the second reading of this Bill ordered to stand an Order of the Day for Friday next.
4. Erection of a Gaol at Armidale:—Mr. Hart presented a Petition from certain Landholders, Householders, and others resident in the Town and District of Armidale, urging the necessity for the erection of a Gaol at Armidale without further delay.  
Petition received.
5. Additional Judge's Appointment Bill:—The Adjourned Debate on Mr. Darvall's motion,—  
"That the Additional Judge's Appointment Bill be now read a second time,"—  
resumed.  
Question put.  
The House divided.

Ayes, 17.

Mr. Darvall,	Mr. Flett,	
Mr. Windoyer,	Mr. Oxley,	
Mr. Samuel,	Mr. Hay,	
Mr. Clements,	Mr. Macleay,	
Mr. Faneutt,	Mr. Mort,	
Mr. Farnell,	Mr. Terry,	
Mr. Martin,	Mr. Blake,	} Tellers.
Mr. A. Campbell,	Mr. Hart,	
Mr. Parkes,		

Noes, 23.

Mr. Robertson,	Mr. Scott,	
Mr. Weekes,	Mr. Wilson,	
Mr. Cummings,	Mr. Penfold,	
Mr. Asher,	Mr. Hoskins,	
Mr. Lucas,	Mr. Black,	
Mr. Piddington,	Mr. J. Campbell,	
Mr. Gordon,	Rev. Dr. Lang,	
Mr. Atkinson,	Mr. Onkes,	
Mr. Hyeronimus,	Mr. Forster,	
Mr. Laycock,	Mr. Dickson,	} Tellers.
Mr. Jamison,	Mr. McArthur,	
Mr. Gray,		

6. Seizure of Opium per "Kate Hooper":—Mr. Hay moved, pursuant to notice,—  
(1.) That the Report of the Select Committee on the Seizure of Opium on board the "Kate Hooper," laid upon the Table of this House on 5th June, be now adopted by this House.  
(2.) That a Copy of the said Report, and the Evidence accompanying, be transmitted, by Address, to His Excellency the Governor General.  
Debate ensued.  
Question put.

The

## The House divided.

Ayes, 12.

Mr. Samuel,	Mr. Black,	} Tellers.
Mr. Windeyer,	Mr. Hay,	
Mr. Wilson,	Mr. Clements,	
Mr. McArthur,		
Mr. A. Campbell,		
Mr. Piddington,		
Mr. Irving,		
Mr. Kemp,		
Mr. Forster,		

Noes, 18.

Mr. Robertson,	Mr. Jamison,	} Tellers.
Mr. Weekes,	Mr. Hyeronimus,	
Mr. Flett,	Mr. Terry,	
Mr. Lucas,	Mr. Gray,	
Mr. Atkinson,	Mr. Penell,	
Mr. Egan,	Mr. Hoskins,	
Mr. Laycock,	Mr. Oakes,	
Mr. Cummings,	Mr. Asher,	
Mr. Scott,	Mr. Dickson,	

## 7. Employment of Laborers on the Sabbath Day:—Mr. McArthur moved, pursuant to amended notice —

(1.) That in the opinion of this House any employment of laborers on the Sabbath Day, on works that could as well be performed on week days, is highly improper, except in cases of most urgent necessity.

(2.) That any such employment, especially by the Government, is calculated to exert an injurious influence upon the religious, moral, and physical well-being of the community at large.

Debate ensued.

Notice being taken that there was not a Quorum of Members present, the House was counted, and there being only Eighteen Members present, exclusive of the Speaker, viz.:—Mr. Black, Mr. A. Campbell, Mr. Dickson, Mr. Forster, Mr. Hay, Mr. Hoskins, Mr. Hyeronimus, Mr. Kemp, Dr. Lang, Mr. Lucas, Mr. McArthur, Mr. Oakes, Mr. Parkes, Mr. Piddington, Mr. Robertson, Mr. Weekes, Mr. Wilson, and Mr. Windeyer,—The Speaker adjourned the House at five minutes after Eleven o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JUNE 13.

## OTHER BUSINESS—ORDER OF THE DAY:—

## 1. Railway Works; Resumption of the Committee to take Evidence on.

## GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. Mr. ROBERTSON to move, That this House, having taken into consideration the Message of the Governor General, No. 28, of the 28th February last, and the accompanying documents, is not disposed to object to the annexation to South Australia of the portion of land lying between South Australia and Western Australia.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. Mr. SAMUEL to move, That the Resumption of the Committee of the Whole to take into consideration the Amendments made by the Legislative Council in the Seamen's Engagement Amendment Bill, which lapsed for want of a Quorum in the Committee on Thursday, the 7th June, stand an Order of the Day for to-morrow.
2. Mr. ASHER to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1861, a sum not exceeding £500, towards the erection of a Mechanics' Institution at Albury; on condition that a similar amount be subscribed by the Committee of the said Institution.
3. Mr. LORD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bunch and the Government, and other papers having reference to the case of Mr. N. L. Kentish.
4. Mr. DICKSON to move,—
- (1.) That the Report of the Select Committee on the Maitland Pasturage Reserve, laid upon the Table of this House on the 25th May last, be now adopted.
- (2.) That an Address be presented to His Excellency the Governor General, transmitting a copy of the same.

## ORDERS OF THE DAY:—

1. Town Hall Site Exchange Bill; to be further considered in Committee.
2. Hawkesbury Benevolent Society's Act Amendment Bill; consideration in Committee of Legislative Council's Amendment.
3. Chinese Immigration Regulation Bill; consideration in Committee as to whether it is desirable to introduce this Bill.
4. Resumption of the Adjourned Debate on Mr. Darvall's motion,—
- (1.) That the practice of lending the Public Money at Interest is dangerous and "impolitic, because it exposes the Public Property to the risk of trade, and gives undue encouragement to speculation and the extension of credit.
- (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General."

5. Enforcement of Claims against the Crown Bill ; second reading.
6. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
7. Affiliated Colleges Act Amendment Bill ; second reading.
8. Necropolis Act Extension Bill ; to be further considered in Committee.
9. Funds for Experimental Quartz Crushing Machine ; consideration in Committee of Address for.
10. Public Lands Bill ; second reading.
11. Land Tax Bill ; second reading.
12. Capital Punishments Abolition Bill ; second reading.
13. Law of Primogeniture Abolition Bill ; second reading.
14. Inquests concerning Fires Bill ; second reading.
15. Sydney Council Debentures Bill ; to be further considered in Committee.
16. Supreme Court Verdicts and Judgments Bill ; second reading.
17. Commissioner at Newcastle Appointment Bill ; second reading.
18. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
19. Moreton Bay Immigration and Land Company's Act Amendment Bill ; second reading.
20. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
21. New Trials Bill ; second reading.

*Questions :—*

1. MR. HART to ask THE SECRETARY FOR PUBLIC WORKS,—What steps have been taken by the Government towards obtaining Designs for New Houses of Parliament and Public Offices, further than the Advertisement which appeared in the *Gazette* of the 1st June, offering certain prizes therefor?
2. MR. CLEMENTS to ask THE SECRETARY FOR PUBLIC WORKS,—If he is aware that in consequence of the time of the train leaving Parramatta in the morning, the daily Mail from Bathurst is not delivered in Sydney until 1 P.M.—by which much inconvenience is occasioned?
3. MR. TERRY to ask THE HONORABLE THE PREMIER,—Whether the Government have decided to proclaim Louisa Creek a Township; and, if so, when it is likely that the Township will be proclaimed?
4. MR. SAMUEL to ask THE SECRETARY FOR PUBLIC WORKS,—If any steps have been taken to render the Roadway over the Cook's River Dam passable; if not, whether any immediate action is contemplated by Government in this most pressing matter?
5. MR. SAMUEL to ask THE SECRETARY FOR PUBLIC WORKS,—  
(1.) Why the surveyors and men who have been employed for the last four months upon the survey of the Clarence River, under the Engineer-in-Chief for Harbors and Rivers, have not yet been paid?  
(2.) When are they likely to be paid?
6. MR. PARKES to ask THE SECRETARY FOR LANDS,—With reference to a Petition presented to the Government, from certain Citizens of Sydney, resident in the neighbourhood of Woolloomooloo Bay, praying for the improvement of the navigation and wharf accommodation of that part of the Harbour—whether it is the intention of the Government to comply with the prayer of the Petitioners; and, if so, what particular works in that locality is intended?
7. MR. HAY to ask THE COLONIAL TREASURER,—Do the Government intend to revoke the Treasury Notice of 23 May, 1860, pending further negotiations with the Government of Victoria?

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THURSDAY, JUNE 14.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. HART to move, That the Petition presented by him on the 12th June, from certain Inhabitants of Armidale, relative to the want of Gaol accommodation in that Town, be printed.

ORDER OF THE DAY :—

1. District Courts Act Amendment Bill ; second reading.
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FRIDAY, JUNE 15.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. TERRY to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1861, a sum not exceeding £40, for a Public Vaccine Officer at Mudgee.
2. MR. MARTIN to move, That the House do now resolve itself into a Committee of the Whole, for the purpose of taking into consideration the following Resolution, viz. :—That an Address be presented to the Governor General, praying that His Excellency will be pleased to recommend the appropriation of such portion of the Consolidated Revenue Fund as will be sufficient, when added to the Imperial Pension, to confer on Colonel Gibbes, the late Collector of Customs, at the Port of Sydney, the full amount of pension to which his length of service will entitle him under the Superannuation Act.

3. DR. LANG to move, That this House resolve itself into a Committee of the Whole, to take into consideration the propriety of addressing His Excellency the Governor General, to place upon the Estimates for 1861, the requisite amount for affording an allowance of £200 a year for three years—to commence from the 1st of January last—to Miss Ironside, a native of this Colony, and the daughter of a native of the Colony, who, having exhibited, in the estimation of her friends, an extraordinary talent for painting, has, with very limited means, been pursuing her studies in that noble art for upwards of five years past, under the first masters in Rome and other Cities of Italy, at her own charges.

ORDER OF THE DAY:—

1. Penrith Nepean Bridge Re-construction Bill: second reading.

Question:—

1. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—  
 (1.) Whether the Government have received information that a number of Aborigines, who have been driven from the Macleay District by the Native Police Force, have been committing outrages on the stations on the Table Land of New England, within a few miles of Armidale—and that the Native Police are not allowed to pursue them in that District?  
 (2.) Whether it is the intention of the Government to take steps to prevent a repetition of similar outrages?

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TUESDAY, JUNE 19.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. TERRY to move,—  
 (1.) That in the opinion of this House, it is detrimental to the public interest for a Government Officer—Crown Law Officers excepted—to undertake, either directly or indirectly, private employment from individuals or companies; and any such Officer so undertaking private employment ought to be dismissed the service.  
 (2.) That the above Resolution be embodied in an Address to the Governor General, praying that His Excellency will bring it under the notice of the Executive Council.  
 2. MR. WILSON to move, That the Report of the Select Committee on the Church and School Lands, laid upon the Table of this House on the 24th April, be now adopted.

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THURSDAY, JUNE 21.

OTHER BUSINESS—NOTICE OF MOTION:—

1. DR. LANG to move, That, in the opinion of this House, it is expedient and necessary that a separate and distinct Department should be created in the Executive of this Colony, under the designation of the Ministry of Public Instruction or Education; that the Head of such Department should be a Cabinet Minister; and that all Educational and Charitable Institutions, throughout the Colony, receiving support or aid from the Public Treasury, should be under his superintendence and control.

T. A. MURRAY,  
*Speaker.*



No. 112.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 13 JUNE, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Railway Works:—On the Order of the Day being read, Mr. Parkes moved,—That this House “do now” resolve itself into a Committee of the Whole to take Evidence on Railway Works.  
 Mr. Robertson moved, That the Question be amended by the omission of the words “do now,” with a view to the insertion in their place of the words “will to-morrow.”  
 Debate ensued.  
 Question put,—That the words proposed to be omitted stand part of the Question.  
 The House divided.

Ayes, 10.

Mr. Terry,  
 Mr. Asher,  
 Mr. Hoskins,  
 Mr. Denichy,  
 Mr. Jamison,  
 Mr. Mackay,  
 Mr. Gordon,  
 Mr. Forster,  
 Mr. Hart,  
 Mr. Black, } Tellers.

Noes, 18.

Mr. Robertson, Mr. Wilson,  
 Mr. Woakes, Mr. Laycock,  
 Mr. Irving, Mr. Broughton,  
 Mr. Mort, Mr. Scott,  
 Mr. Cummings, Mr. Piddington,  
 Mr. Kemp, Mr. Lucas,  
 Mr. Parkes, Rev. Dr. Lang, } Tellers.  
 Mr. Pennell, Mr. Dickson,  
 Mr. Hyeronimus,  
 Mr. Farnell,

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

Whereupon Question, *as amended by consent*,—That this House will, to-morrow, resolve itself into a Committee of the Whole to take Evidence on Railway Works, *with precedence over all other Business on the Paper for that day*,—put and passed.

2. Proposed Annexation to South Australia of a portion of the Territory of New South Wales:—Mr. Robertson moved, pursuant to notice, That this House, having taken into consideration the Message of the Governor General, No. 28, of the 28th February last, and the accompanying documents, is not disposed to object to the annexation to South Australia of the portion of land lying between South Australia and Western Australia.

(Interruption.)

3. Assent to Bills:—The following Messages from His Excellency the Governor General received and read:—

(1.) Lien on Wool Act Continuation Bill:—

W. DENISON,

Message No. 43.

Governor General.

A Bill, intituled “*An Act to make permanent the Lien on Wool Act*,” as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,

Sydney, 13th June, 1860.

(2.) Newcastle Wallsend Coal Company's Railway Bill:—

W. DENISON,

Message No. 44.

Governor General.

A Bill, intituled “*An Act to enable certain persons carrying on business at Sydney under the name or style of ‘The Newcastle Wallsend Coal Company’ to construct a Railway from land near Newcastle belonging to them to and to connect the same with the Great Northern Railway*,” as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,

Sydney, 13th June, 1860.

4. Proposed Annexation to South Australia of a portion of the Territory of New South Wales:—Debate ensued on Mr. Robertson's motion on this subject, interrupted by the foregoing Messages.

Mr. Piddington moved the previous Question.

Debate continued.

Previous Question put,—That this Question be now put.

The House divided.

Ayes, 6.

Mr. Robertson,	} Tellers.
Mr. Weekes,	
Rev. Dr. Lang,	
Mr. Blake,	
Mr. Terry,	
Mr. Egan,	

Noes, 26.

Mr. Parkes,	Mr. Laycock,	} Tellers.
Mr. A. Campbell,	Mr. Atkinson,	
Mr. Kemp,	Mr. Clements,	
Mr. Windeyer,	Mr. Forster,	
Mr. Scott,	Mr. Jamison,	
Mr. Hoskins,	Mr. Pemell,	
Mr. Wilson,	Mr. Hodgson,	
Mr. Farnell,	Mr. Hay,	
Mr. Hyeronimus,	Mr. Denichy,	
Mr. Lucas,	Mr. Hart,	
Mr. Cummings,	Mr. Samuel,	
Mr. Dickson,	Mr. Piddington,	
Mr. Broughton,	Mr. Black,	

5. Seamen's Engagement Act Amendment Bill:—Mr. Samuel moved, pursuant to notice, That the Resumption of the Committee of the Whole to take into consideration the Amendments made by the Legislative Council in the Seamen's Engagement Act Amendment Bill, which lapsed for want of a Quorum in the Committee on Thursday, the 7th June, stand an Order of the Day for to-morrow.

Question put and passed.

6. Motion dropped:—Mr. Asher not making the motion standing in his name, No. 2 on the Notice Paper of Other Business for to-day, it dropped.

7. Postponement:—Mr. Robertson postponed the motion standing in the name of Mr. Lord, No. 3 on the Notice Paper of Other Business for to-day, until to-morrow.

8. Maitland Pasturage Reserve:—Mr. Dickson moved, pursuant to notice,—  
(1.) That the Report of the Select Committee on the Maitland Pasturage Reserve, laid upon the Table of this House on the 25th May last, be now adopted.

(2.) That an Address be presented to His Excellency the Governor General, transmitting a copy of the same.

Debate ensued.

Question put.

The House divided.

And the Tellers reporting the numbers as follows,—

Ayes, 11.

Mr. Black,	Mr. Parkes,	} Tellers.
Mr. Dickson,	Mr. Denichy,	
Mr. Piddington,	Mr. Hoskins,	
Mr. Scott,	Mr. Walker,	
Mr. Lucas,	Mr. Windeyer,	
Mr. Cummings,		

Noes, 8.

Mr. Robertson,	Mr. Pemell,	} Tellers.
Mr. Weekes,	Mr. Laycock,	
Mr. Kemp,	Mr. Forster,	
Mr. Flett,	Mr. Jamison,	

And it appearing by the said report, that there was not a Quorum of Members present, the Speaker adjourned the House, at five minutes after Nine o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JUNE 14.

### OTHER BUSINESS—ORDER OF THE DAY:—

1. Railway Works; Resumption of the Committee to take Evidence on.

### NOTICES OF MOTION:—

- MR. HART to move, That the Petition presented by him on the 12th June, from certain Inhabitants of Armidale, relative to the want of Gaol accommodation in that Town, be printed.
- MR. CUMMINGS to move, That the Report of the Select Committee, appointed by this House to inquire into the State of the Bathurst Line of Road, be adopted.
- MR. FORSTER to move, That there be laid upon the Table of this House, a Return of the Roman Catholic Clergymen who were in receipt of Salaries from the Public Funds during the years 1848 to 1852 inclusive, shewing the periods during which such Salaries were received by each Clergyman respectively.
- MR. LOAP to move, That an Address, be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, and other papers having reference to the case of Mr. N. L. Kentish.

ORDERS

## ORDERS OF THE DAY:—

1. District Courts Act Amendment Bill; second reading.
2. Seamen's Engagement Act Amendment Bill; Resumption of the Committee to take into consideration Legislative Council's Amendments.
3. Town Hall Site Exchange Bill; to be further considered in Committee.
4. Hawkesbury Benevolent Society's Act Amendment Bill; consideration in Committee of Legislative Council's Amendment.
5. Chinese Immigration Regulation Bill; consideration in Committee as to whether it is desirable to introduce this Bill.
6. Resumption of the Adjourned Debate on Mr. Darvall's motion,—
  - "(1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risk of trade, and gives undue encouragement to speculation and the extension of credit.
  - "(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General."
7. Enforcement of Claims against the Crown Bill; second reading.
8. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
9. Affiliated Colleges Act Amendment Bill; second reading.
10. Necropolis Act Extension Bill; to be further considered in Committee.
11. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
12. Public Lands Bill; second reading.
13. Land Tax Bill; second reading.
14. Capital Punishments Abolition Bill; second reading.
15. Law of Primogeniture Abolition Bill; second reading.
16. Inquests concerning Fires Bill; second reading.
17. Sydney Council Debentures Bill; to be further considered in Committee.
18. Supreme Court Verdicts and Judgments Bill; second reading.
19. Commissioner at Newcastle Appointment Bill; second reading.
20. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
21. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
22. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
23. New Trials Bill; second reading.

## Questions:—

1. MR. HOSKINS to ask THE COLONIAL TREASURER,—Whether the Government intend to introduce a Bill in the early part of the next Session of the Legislature to abolish the Export Duty on Gold upon the 31st December, 1860?
2. MR. TERRY to ask THE HONORABLE THE PREMIER,—
  - (1.) Whether the Mr. J. J. Lee, whose name appears in the *Gazette* and daily papers as a practising Proctor of the Supreme Court, is the same gentleman who holds a Government appointment in the Crown Solicitor's Office?
  - (2.) Whether the Government are aware that Mr. J. J. Lee, who is a Clerk in the Crown Solicitor's Office, practises his profession both as a Solicitor and Notary Public, for his private advantage?
3. MR. DENIEHY to ask THE SECRETARY FOR LANDS,—If it is the intention of the Government to extend the operation of the Western District Court to Sofala?
4. MR. DENIEHY to ask THE SECRETARY FOR LANDS,—
  - (1.) If it be the fact, that upon the late trial in the Supreme Court of the two soldiers for the murder of Inspector M'Gee, the Attorney General altogether declined to enforce, and in truth expressly abandoned any reliance on the fact, and the law applicable to the fact, that Inspector M'Gee, at the time the shot was fired, was, in the execution of his duty, endeavoring to apprehend the man by whom he was shot?
  - (2.) Is it true, that nevertheless the Inspector was, upon several grounds, or some one ground of law, at that time plainly acting in the execution of his duty?
  - (3.) Do the Government, with the result of the trial referred to before them, contemplate the appointment of a Public Prosecutor, and the securing some better means of enforcing criminal law and justice than appears to be provided for under the administration of the present Attorney General and Grand Jury of the country?
5. MR. DENIEHY to ask THE SECRETARY FOR LANDS,—When the Correspondence relative to the District Courts, moved for by Mr. Plunkett, and ordered by the House to be laid upon the Table, will be produced?
6. MR. ASHER to ask THE HONORABLE THE PREMIER,—Do the Government intend laying upon the Table of this House, Correspondence and Papers moved for in February last, with reference to the Town Common at Albury; also, when do the Government intend to lay upon the Table of this House a printed copy of Petition from the Mayor and Aldermen of Albury, praying for a Town Common at that place?
7. MR. ASHER to ask THE HONORABLE THE PREMIER,—Have the Government any objection to lay upon the Table of this House, a Return of the amount of Duties collected at Albury during the period of a Custom House at that place; also, the number of Seizures that were made during the same time?

FRIDAY, JUNE 15.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. **MR. TERRY** to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1861, a sum not exceeding £40, for a Public Vaccine Officer at Mudgee.
2. **MR. MARTIN** to move, That the House do now resolve itself into a Committee of the Whole, for the purpose of taking into consideration the following Resolution, viz:— That an Address be presented to the Governor General, praying that His Excellency will be pleased to recommend the appropriation of such portion of the Consolidated Revenue Fund as will be sufficient, when added to the Imperial Pension, to confer on Colonel Gibbes, the late Collector of Customs, at the Port of Sydney, the full amount of pension to which his length of service will entitle him under the Superannuation Act.
3. **DR. LANG** to move, That this House resolve itself into a Committee of the Whole, to take into consideration the propriety of addressing His Excellency the Governor General, to place upon the Estimates for 1861, the requisite amount for affording an allowance of £200 a year for three years—to commence from the 1st of January last—to Miss Ironside, a native of this Colony, and the daughter of a native of the Colony, who, having exhibited, in the estimation of her friends, an extraordinary talent for painting, has, with very limited means, been pursuing her studies in that noble art for upwards of five years past, under the first masters in Rome and other Cities of Italy, at her own charges.

## ORDER OF THE DAY :—

1. Penrith Nepean Bridge Re-construction Bill: second reading.

## Questions :—

1. **MR. HOSKINS** to ask THE SECRETARY FOR LANDS,—
  - (1.) Whether the Government have received information that a number of Aborigines, who have been driven from the Macleay District by the Native Police Force, have been committing outrages on the stations on the Table Land of New England, within a few miles of Armidale—and that the Native Police are not allowed to pursue them in that District?
  - (2.) Whether it is the intention of the Government to take steps to prevent a repetition of similar outrages?
2. **MR. PIDDINGTON** to ask THE COLONIAL TREASURER,—
  - (1.) What is the total amount received in the Treasury from the 1st of January to the 31st of May, 1860, exclusive of the proceeds of Loans or Advances on account of Loans?
  - (2.) What is the amount received in the Treasury from the 1st January to the 31st of May, 1860, on account of Sales of Public Land?
  - (3.) What is the sum estimated by the Colonial Treasurer to be receivable within the present year on account of Sales of Public Land?
3. **MR. LUCAS** to ask THE HONORABLE THE PREMIER,—
  - (1.) If the routine of Secular Instruction, and the efficiency expected in non-vested Schools, is the same as in vested National Schools; and if not, wherein they differ?
  - (2.) Whether the Teachers of non-vested Schools are paid two pounds per month less than those of the same classification appointed to vested National Schools; and if so, for what reason?
4. **MR. LUCAS** to ask THE SECRETARY FOR PUBLIC WORKS,—
  - (1.) Whether it is the intention of the Government to authorise the issue of Excursion Tickets at the Intermediate Stations upon the same terms as they are now issued at the Sydney, Parramatta, and Campbelltown Stations?
  - (2.) Why the Excursion Tickets are not issued on Monday as well as Saturday, so that the Mechanics and Laborers should have an opportunity of benefiting by the double journey for single fares?
  - (3.) Whether it is the intention of the Railway Authorities to run an early Train to arrive in Sydney at a quarter before 6 o'clock in Summer, and half-past 6 in Winter, so that the Mechanics, Laborers, and others who have to attend work at an early hour, and who live at Newtown, Kingston, Petersham, Ashfield, Burwood, Homebush, &c., can take advantage of the Railway to proceed to their employment?

TUESDAY, JUNE 19.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. **MR. TERRY** to move,—
  - (1.) That in the opinion of this House, it is detrimental to the public interest for a Government Officer—Crown Law Officers excepted—to undertake, either directly or indirectly, private employment from individuals or companies; and any such Officer so undertaking private employment ought to be dismissed the service.
  - (2.) That the above Resolution be embodied in an Address to the Governor General, praying that His Excellency will bring it under the notice of the Executive Council.
2. **MR. WILSON** to move, That the Report of the Select Committee on the Church and School Lands, laid upon the Table of this House on the 24th April, be now adopted.
3. **MR. DENIEHY** to move, That the Report of the Committee of Inquiry into the University of Sydney, brought up and laid upon the Table of the House, be adopted.

THURSDAY,

THURSDAY, JUNE 21.

## OTHER BUSINESS—NOTICE OF MOTION:—

1. DR. LANG to move, That, in the opinion of this House, it is expedient and necessary that a separate and distinct Department should be created in the Executive of this Colony, under the designation of the Ministry of Public Instruction or Education; that the Head of such Department should be a Cabinet Minister; and that all Educational and Charitable Institutions, throughout the Colony, receiving support or aid from the Public Treasury, should be under his superintendence and control.

T. A. MURRAY,

*Speaker.*

[Price, 6d.]



No. 113.

**VOTES AND PROCEEDINGS**

OF THE

**LEGISLATIVE ASSEMBLY.**

THURSDAY, 14 JUNE, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Papers:—Mr. Robertson laid upon the Table the undermentioned Papers:—  
(1.) Return to Address relative to Albury Municipality and Common, adopted, on motion of Mr. Asher, on 28th February last.  
(2.) Return to Address, relative to Capital Offences, adopted, on motion of Mr. Wilson, on 21st February last.  
Ordered to be printed.
2. Railway Works:—On motion of Mr. Parkes, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole to take Evidence on Railway Works.  
The Chairman having reported progress;—  
Mr. Parkes moved, That the Committee have leave to sit again on Thursday next,—with precedence over all other Business on the Paper for that day.  
Debate ensued.  
Question put.  
The House divided.

Ayes, 7.

Mr. Laycock,  
Mr. Gordon,  
Mr. Pemell,  
Mr. J. Campbell,  
Mr. Kemp,  
Mr. Hoskins, } Tellers.  
Mr. Parkes, }

Noes, 24.

Mr. Robertson, Mr. Egan,  
Mr. Arnold, Mr. Darvall,  
Mr. Weekes, Mr. Hay,  
Mr. Piddington, Mr. Dickson,  
Mr. McArthur, Mr. Gray,  
Mr. Wilson, Mr. Deniehy,  
Mr. Cummings, Mr. Forster,  
Mr. Terry, Mr. Black,  
Mr. Jamison, Mr. Walker,  
Mr. Blake, Mr. Samuel,  
Mr. Faucett, Mr. Lucas, } Tellers.  
Mr. Clements, Mr. Hodgson, }

*Evidence at Bar*:—Mr. Parkes then, with the concurrence of the House, moved, without previous notice, That the Evidence taken at the Bar, up to this time, in Committee of the Whole on Railway Works, be printed.

Question put and passed.

Ordered to be printed.

3. The Speaker reported that, while the House was in Committee on Railway Works, the following Messages were received from the Legislative Council:—

(1.) Public Loan Bill for 1860:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to enable the Government to raise Loans for certain Public Works and to pay off certain Land and Immigration Debentures falling due in 1860*," returns the same to the Legislative Assembly without Amendment.

Legislative Council Chamber,  
Sydney, 13th June, 1860.

W. W. BURTON,  
President.

(2.) Abattoir Road Bill:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to facilitate the communication between the Abattoirs and Sydney*," with the Amendments indicated by the accompanying Schedule, in which Amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,  
Sydney, 14th June, 1860.

W. W. BURTON,  
President.

Mr. Arnold moved, That the consideration in Committee of the Amendments made by the Legislative Council in the Abattoir Road Bill, stand an Order of the Day for Wednesday next.

Question put and passed.

(3.)

## (3.) Indemnity Bill :—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to Indemnify the Government as to certain Payments for the 'Public Service,' with the Amendments indicated by the accompanying Schedule, in which Amendments the Council requests the concurrence of the Legislative Assembly.*"

Legislative Council Chamber,  
Sydney, 14th June, 1860.

W. W. BURTON,  
President.

Mr. Darvall moved, That the Amendments made by the Legislative Council in the Indemnity Bill be taken into consideration on Tuesday next, and have precedence over all other Business on the Paper for that day.

Question put.

The House divided.

Ayes, 30.

Mr. Robertson,	Mr. Forster,
Mr. Arnold,	Mr. Denichy,
Mr. Weekes,	Mr. Jamison,
Mr. Dickson,	Mr. Cummings,
Mr. Eckford,	Mr. Kemp,
Mr. Black,	Mr. Parnell,
Mr. Piddington,	Mr. Laycock,
Mr. Hay,	Mr. Wilson,
Mr. Hodgson,	Mr. McArthur,
Mr. Clements,	Mr. Walker,
Mr. Macleay,	Mr. Samuel,
Mr. Martin,	Mr. Egan,
Mr. Irving,	Mr. Hoskins,
Mr. Faurett,	Mr. Gordon,
Mr. Darvall,	Mr. Parkes,

} Tellers.

Noes, 3.

Mr. J. Campbell,	} Tellers.
Mr. Lucas,	
Mr. Terry,	

4. Erection of a Gaol at Armidale :—Mr. Parkes moved, pursuant to notice standing in the name of Mr. Hart, That the Petition presented by Mr. Hart on the 12th June, from certain Inhabitants of Armidale, relative to the want of Gaol accommodation in that Town, be printed.

Question put and passed.

Ordered to be printed.

5. Postponement :—Mr. Cummings postponed the motion standing in his name, No. 2 on the Notice Paper for to-day, until to-morrow.

6. Roman Catholic Clergymen paid out of Public Funds :—Mr. Forster moved, pursuant to notice, That there be laid upon the Table of this House, a Return of the Roman Catholic Clergymen who were in receipt of Salaries from the Public Funds during the years 1848 to 1852 inclusive, shewing the periods during which such Salaries were received by each Clergyman respectively.

Question put and passed.

7. Motion dropped :—Mr. Lord not making the motion standing in his name, No. 4 on the Notice Paper for to-day, it dropped.

8. Postponement :—The second reading of the District Courts Act Amendment Bill postponed, on motion of Mr. Lucas, until Thursday next.

9. Seamen's Engagement Act Amendment Bill :—On motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the further consideration of the Amendments made by the Legislative Council in this Bill. The Chairman having reported that the Committee had agreed to the Amendments made in this Bill by the Legislative Council,—

Mr. Samuel moved, That this House do now adopt the Amendments so agreed to.

Question put and passed ;—

Whereupon, Mr. Samuel moved, That the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the Amendments made by the Legislative Council in the Bill, intituled "*An Act to facilitate the Engagement 'of Seamen for the Colonial Trade.'*"

Legislative Assembly Chamber,  
Sydney, 14th June, 1860.

Speaker.

Question put and passed.

10. Town Hall Site Exchange Bill :—On the Order of the Day being read, the Speaker left the Chair, and the House 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.

11. Hawkesbury Benevolent Society's Act Amendment Bill :—On motion of Mr. Parkes, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the consideration of the Amendment made in this Bill by the Legislative Council.

The Chairman having reported that the Committee had agreed to the Amendment made in this Bill by the Legislative Council,—

Mr. Parkes moved, That this House do now adopt the Amendment so agreed to.

Question put and passed ;—

Whereupon,



Whereupon, Mr. Parkes moved, That the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the Amendment made by the Legislative Council in the Bill, intituled "*An Act to amend the Hawkesbury Benevolent Society's Act of Incorporation.*"

*Legislative Assembly Chamber,*  
*Sydney, 14th June, 1860.*

Speaker.

12. Chinese Immigration Regulation Bill:—Mr. Lucas moved, That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole, for consideration as to whether it is desirable to introduce a Chinese Immigration Regulation Bill.

Question put.

The House divided.

Ayes, 20.

Mr. McArthur,	Mr. Pemell,	
Mr. Windoyer,	Mr. Cummings,	
Mr. Parkes,	Mr. Laycock,	
Mr. Denichy,	Rev. Dr. Lang,	
Mr. Hoskins,	Mr. Eckford,	
Mr. Close,	Mr. J. Campbell,	
Mr. Black,	Mr. Lucas,	} Tellers.
Mr. Terry,	Mr. Walker,	
Mr. Gray,		
Mr. Garrett,		
Mr. Forster,		
Mr. Broughton,		

Noes, 12.

Mr. Robertson,	
Mr. Woakes,	
Mr. Hay,	
Mr. Kemp,	
Mr. Macleay,	
Mr. Hart,	
Mr. Flett,	
Mr. Arnold,	
Mr. Dickson,	
Mr. Jamison,	
Mr. Piddington,	} Tellers.
Mr. Irving,	

Whereupon the Speaker left the Chair, and the House resolved itself into the said Committee.

And the Committee having continued to sit till after Midnight,—

FRIDAY, 15 JUNE, 1860. A.M.

The Chairman reported that the Committee had agreed to the following Resolution:—

Resolved, That it is the opinion of this Committee, that the vast immigration of Chinese is injurious to this Colony, morally, socially, and politically, and that it is desirable that a Bill should be introduced to regulate such immigration, and the said Bill should amongst other things enact that every Chinese who may arrive into this Colony shall be liable to an Impost of £10 each.

The House adjourned, on motion of Mr. Parkes, at a quarter after Twelve o'clock, A.M., until Three o'clock, P.M., this day.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JUNE 15.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. TERRY to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1861, a sum not exceeding £40, for a Public Vaccine Officer at Mudgee.
2. MR. MARTIN to move, That the House do now resolve itself into a Committee of the Whole, for the purpose of taking into consideration the following Resolution, viz.:—That an Address be presented to the Governor General, praying that His Excellency will be pleased to recommend the appropriation of such portion of the Consolidated Revenue Fund as will be sufficient, when added to the Imperial Pension, to confer on Colonel Gibbes, the late Collector of Customs, at the Port of Sydney, the full amount of pension to which his length of service will entitle him under the Superannuation Act.
3. DR. LANG to move, That this House resolve itself into a Committee of the Whole, to take into consideration the propriety of addressing His Excellency the Governor General, to place upon the Estimates for 1861, the requisite amount for affording an allowance of £200 a year for three years—to commence from the 1st of January last—to Miss Ironside, a native of this Colony, and the daughter of a native of the Colony, who, having exhibited, in the estimation of her friends, an extraordinary talent for painting, has, with very limited means, been pursuing her studies in that noble art for upwards of five years past, under the first masters in Rome and other Cities of Italy, at her own charges.

4. **MR. DICKSON** to move, That the Question on his motion,—
  - (1.) That the Report of the Select Committee on the Maitland Pasturage Reserve, laid upon the Table of this House on the 25th May last, be now adopted.
  - (2.) That an Address be presented to His Excellency the Governor General, transmitting a copy of the same,—
 

which lapsed from the want of a Quorum, on the 13th June, be now again put.
5. **MR. CUMMINGS** to move, That the Report of the Select Committee, appointed by this House to inquire into the State of the Bathurst Line of Road, be adopted.

**ORDERS OF THE DAY :—**

1. Penrith Nepean Bridge Re-construction Bill : second reading.
2. Resumption of the Adjourned Debate on Mr. Darvall's motion,—
  - "(1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risk of trade, and gives undue encouragement to speculation and the extension of credit.
  - "(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General."
3. Enforcement of Claims against the Crown Bill ; second reading.
4. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
5. Affiliated Colleges Act Amendment Bill ; second reading.
6. Necropolis Act Extension Bill ; to be further considered in Committee.
7. Funds for Experimental Quartz Crushing Machine ; consideration in Committee of Address for.
8. Public Lands Bill ; second reading.
9. Land Tax Bill ; second reading.
10. Capital Punishments Abolition Bill ; second reading.
11. Law of Primogeniture Abolition Bill ; second reading.
12. Inquests concerning Fires Bill ; second reading.
13. Sydney Council Debentures Bill ; to be further considered in Committee.
14. Supreme Court Verdicts and Judgments Bill ; second reading.
15. Commissioner at Newcastle Appointment Bill ; second reading.
16. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
17. Moreton Bay Immigration and Land Company's Act Amendment Bill ; second reading.
18. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
19. New Trials Bill ; second reading.

**Questions :—**

1. **MR. HOSKINS** to ask THE SECRETARY FOR LANDS,—
  - (1.) Whether the Government have received information that a number of Aborigines, who have been driven from the Macleay District by the Native Police Force, have been committing outrages on the stations on the Table Land of New England, within a few miles of Armidale—and that the Native Police are not allowed to pursue them in that District?
  - (2.) Whether it is the intention of the Government to take steps to prevent a repetition of similar outrages?
2. **MR. PIDDINGTON** to ask THE COLONIAL TREASURER,—
  - (1.) What is the total amount received in the Treasury from the 1st of January to the 31st of May, 1860, exclusive of the proceeds of Loans or Advances on account of Loans?
  - (2.) What is the amount received in the Treasury from the 1st January to the 31st of May, 1860, on account of Sales of Public Land?
  - (3.) What is the sum estimated by the Colonial Treasurer to be receivable within the present year on account of Sales of Public Land?
3. **MR. LUCAS** to ask THE HONORABLE THE PREMIER,—
  - (1.) If the routine of Secular Instruction, and the efficiency expected in non-vested Schools, is the same as in vested National Schools; and if not, wherein they differ?
  - (2.) Whether the Teachers of non-vested Schools are paid two pounds per month less than those of the same classification appointed to vested National Schools; and if so, for what reason?
4. **MR. LUCAS** to ask THE SECRETARY FOR PUBLIC WORKS,—
  - (1.) Whether it is the intention of the Government to authorise the issue of Excursion Tickets at the Intermediate Stations upon the same terms as they are now issued at the Sydney, Parramatta, and Campbelltown Stations?
  - (2.) Why the Excursion Tickets are not issued on Monday as well as Saturday, so that the Mechanics and Laborers should have an opportunity of benefiting by the double journey for single fares?
  - (3.) Whether it is the intention of the Railway Authorities to run an early Train to arrive in Sydney at a quarter before 6 o'clock in Summer, and half-past 6 in Winter, so that the Mechanics, Laborers, and others who have to attend work at an early hour, and who live at Newtown, Kingston, Petersham, Ashfield, Burwood, Homebush, &c., can take advantage of the Railway to proceed to their employment?
5. **MR. DENIEHY** to ask THE SECRETARY FOR LANDS,—
  - (1.) If it be the fact, that upon the late trial in the Supreme Court of the two soldiers for the murder of Inspector M'Gee, the Attorney General altogether declined to rely upon the point that Inspector M'Gee, at the time the shot was fired, was, in the execution of his duty, endeavoring to apprehend the man by whom he was shot?
  - (2.)

- (2.) Do the Government, with the result of the trial referred to before them, contemplate the appointment of a Public Prosecutor, and the securing some better means of enforcing criminal law and justice than appears to be provided for under the administration of the present Attorney General and Grand Jury of the country?
6. **MR. DENIEHY to ask THE SECRETARY FOR LANDS,—**
- (1.) Whether it is the intention of the Government to have the streets in the Town of Goulburn aligned; and, if so, when?
  - (2.) Whether the land reserved for market purposes in the Town of Goulburn has been granted to the Market Commissioners; and, if it has not, whether the Government is willing to grant it to the Municipal Council?
  - (3.) If the Government recognise the existence of the Market Commissioners since the establishment of the Municipality of Goulburn; and, if they do, whether it is the intention of the Government to adopt measures for the dissolution of the Market Commissioners, and transferring the sole control of the markets to the Goulburn Municipal Council?

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TUESDAY, JUNE 10.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Indemnity Bill; consideration of Legislative Council's Amendments.

NOTICES OF MOTION:—

1. **MR. TERRY to move,—**  
 (1.) That in the opinion of this House, it is detrimental to the public interest for a Government Officer—Crown Law Officers excepted—to undertake, either directly or indirectly, private employment from individuals or companies; and any such Officer so undertaking private employment ought to be dismissed the service.  
 (2.) That the above Resolution be embodied in an Address to the Governor General, praying that His Excellency will bring it under the notice of the Executive Council.
2. **MR. WILSON to move,** That the Report of the Select Committee on the Church and School Lands, laid upon the Table of this House on the 24th April, be now adopted.
3. **MR. DENIEHY to move,** That the Report of the Committee of Inquiry into the University of Sydney, brought up and laid upon the Table of the House, be adopted.
4. **MR. FORSTER to move,** That it is the opinion of this House,—  
 (1.) That the distribution of the Funds reserved for Public Worship under Schedule C of the Constitution Act was intended to take effect in accordance with the Act of Council, 7 William 4th, No. 3, commonly known as Sir Richard Bourke's Act.  
 (2.) That, therefore, the payment of stipends to dignitaries of any Church, as such, in excess of the stipends authorised by the Act last specified above, ought to be discontinued

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WEDNESDAY, JUNE 20.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Abattoir Road Bill; consideration in Committee of Legislative Council's Amendments.

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THURSDAY, JUNE 21.

OTHER BUSINESS—NOTICE OF MOTION:—

1. **DR. LANG to move,** That, in the opinion of this House, it is expedient and necessary that a separate and distinct Department should be created in the Executive of this Colony, under the designation of the Ministry of Public Instruction or Education; that the Head of such Department should be a Cabinet Minister; and that all Educational and Charitable Institutions, throughout the Colony, receiving support or aid from the Public Treasury, should be under his superintendence and control.

ORDERS OF THE DAY:—

1. District Courts Act Amendment Bill; second reading.
2. Town Hall Site Exchange Bill; to be further considered in Committee.

T. A. MURRAY,  
Speaker.



No. 114.

**VOTES AND PROCEEDINGS**

**OF THE**

**LEGISLATIVE ASSEMBLY.**

FRIDAY, 15 JUNE, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Motion withdrawn:—Mr. Terry withdrew the motion standing in his name, No. 1 on the Notice Paper for to-day.
  2. Pension to Colonel Gibbes:—Mr. Martin moved, pursuant to *amended* notice, That the House do, on Wednesday next, resolve itself into a Committee of the Whole, for the purpose of taking into consideration the following Resolution, viz.:—That an Address be presented to the Governor General, praying that His Excellency will be pleased to recommend the appropriation of such portion of the Consolidated Revenue Fund as will be sufficient, when added to the Imperial Pension, to confer on Colonel Gibbes, the late Collector of Customs at the Port of Sydney, the full amount of pension to which his length of service will entitle him under the Superannuation Act. Debate ensued.  
Motion by leave withdrawn.
  3. Proposed Pecuniary Allowance to Miss Ironside:—Dr. Lang moved, pursuant to *amended* notice, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1861, the requisite amount for affording an allowance of £200 a year for three years—to commence from the 1st of January last—to Miss Ironside, a native of this Colony, and the daughter of a native of the Colony, who, having exhibited, in the estimation of her friends, an extraordinary talent for painting, has, with very limited means, been pursuing her studies in that noble art for upwards of five years past, under the first masters in Rome and other Cities of Italy, at her own charges.  
Question put and negatived.
  4. Maitland Pasturage Reserve:—Mr. Dickson moved, pursuant to notice, That the Question on his motion,—  
(1.) That the Report of the Select Committee on the Maitland Pasturage Reserve, laid upon the Table of this House on the 25th May last, be now adopted;  
(2.) That an Address be presented to His Excellency the Governor General, transmitting a copy of the same,—  
which lapsed from the want of a Quorum, on the 13th June, be now again put.  
Question put and passed.  
Whereupon, Question again put,—  
(1.) That the Report of the Select Committee on the Maitland Pasturage Reserve, laid upon the Table of this House on the 25th May last, be now adopted.  
(2.) That an Address be presented to His Excellency the Governor General, transmitting a copy of the same.  
The House divided.
- |   |  |
|---|--|
| <p style="text-align: center;">Ayes, 15.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Mr. Asher,</p> <p>Mr. Terry,</p> <p>Mr. Piddington,</p> <p>Mr. Black,</p> <p>Mr. A. Campbell,</p> <p>Mr. Lucas,</p> <p>Rev. Dr. Lang,</p> <p>Mr. Hoskins,</p> </div> <div style="width: 45%;"> <p>Mr. Eckford,</p> <p>Mr. Denichy,</p> <p>Mr. Lyons,</p> <p>Mr. Parkes,</p> <p>Mr. Cummings,</p> <p>Mr. Hart,</p> <p>Mr. Dickson,</p> </div> </div> <p style="text-align: right;">} Tellers.</p> | <p style="text-align: center;">Noes, 11.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Mr. Robertson,</p> <p>Mr. Weckes,</p> <p>Mr. Hay,</p> <p>Mr. Laycock,</p> <p>Mr. Pamell,</p> <p>Mr. Farnell,</p> <p>Mr. Forster,</p> <p>Mr. Kemp,</p> </div> <div style="width: 45%;"> <p>Mr. Jamison,</p> <p>Mr. Irving,</p> <p>Mr. Mort,</p> </div> </div> <p style="text-align: right;">} Tellers.</p> |
|---|--|
5. Condition of the Bathurst Road:—Mr. Cummings moved, pursuant to *amended* notice,—  
(1.) That the Report of the Select Committee, appointed by this House to inquire into the State of the Bathurst Line of Road, be adopted.  
(2.) That an Address be presented to His Excellency the Governor General, transmitting a copy of the same.  
Debate ensued.  
Question put.

The

The House divided.

Ayes, 20.

Mr. Clements,	Mr. A. Campbell,	} Tellers.
Mr. Mort,	Mr. Hoskins,	
Mr. Cummings,	Mr. Denichy,	
Mr. Piddington,	Mr. Gray,	
Mr. Windeyer,	Mr. Black,	
Mr. Parkes,	Mr. Eckford,	
Mr. Farnell,	Mr. Gordon,	
Mr. Terry,	Mr. Lucas,	
Mr. Jamison,	Mr. Egan,	
Mr. Forster,	Mr. Dickson,	

Noes, 6.

Mr. Robertson,	} Tellers.
Mr. Weekes,	
Mr. Arnold,	
Mr. Laycock,	
Mr. Hart,	
Mr. Pemell,	

Notice being taken that there was not a Quorum of Members present, the House was counted, and there being only Eighteen Members present, exclusive of the Speaker, viz.:—Mr. Arnold, Mr. Black, Mr. Clements, Mr. Eckford, Mr. Farnell, Mr. Forster, Mr. Gordon, Mr. Jamison, Mr. Kemp, Mr. Laycock, Mr. Lucas, Mr. Mort, Mr. Parkes, Mr. Pemell, Mr. Piddington, Mr. Roberts, Mr. Robertson, and Mr. Weekes,—The Speaker adjourned the House at twenty minutes before Eight o'clock, until Tuesday next, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JUNE 19.

*Contingent Notice of Motion :—*

1. MR. DARVALL to move,—(on the Order of the Day being read for the consideration of the Legislative Council's Amendments in the Indemnity Bill), that the 53rd Standing Order be suspended, with a view to the consideration of those Amendments with the Speaker in the Chair, and not in a Committee of the whole House.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Indemnity Bill ; consideration of Legislative Council's Amendments.

NOTICES OF MOTION :—

1. MR. TERRY to move,—
  - (1.) That in the opinion of this House, it is detrimental to the public interest for a Government Officer—Crown Law Officers excepted—to undertake, either directly or indirectly, private employment from individuals or companies ; and any such Officer so undertaking private employment ought to be dismissed the service.
  - (2.) That the above Resolution be embodied in an Address to the Governor General, praying that His Excellency will bring it under the notice of the Executive Council.
2. MR. WILSON to move, That the Report of the Select Committee on the Church and School Lands, laid upon the Table of this House on the 24th April, be now adopted.
3. MR. DENIEHY to move, That the Report of the Committee of Inquiry into the University of Sydney, brought up and laid upon the Table of the House, be adopted.
4. MR. FORSTER to move, That it is the opinion of this House,—
  - (1.) That the distribution of the Funds reserved for Public Worship under Schedule C of the Constitution Act was intended to take effect in accordance with the Act of Council, 7 William 4th, No. 3, commonly known as Sir Richard Bourke's Act.
  - (2.) That, therefore, the payment of stipends to dignitaries of any Church, as such, in excess of the stipends authorised by the Act last specified above, ought to be discontinued.
5. MR. MARTIN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A copy of the Judge's Notes taken at the recent trial of the two soldiers for the murder of the late Inspector M'Gee.
  - (2.) A copy of the Information filed by the Attorney General in the case.
  - (3.) A statement of the Judge's charge to the Jury, and the verdict and sentence.
6. MR. KEMP to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, and other papers having reference to the case of Mr. N. L. Kentish.

ORDERS OF THE DAY :—

1. Penrith Nepean Bridge Re-construction Bill ; second reading.
2. Resumption of the Adjourned Debate on Mr. Darvall's motion,—
  - "(1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risk of trade, and gives undue encouragement to speculation and the extension of credit.
  - "(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General."
3. Enforcement of Claims against the Crown Bill ; second reading.
4. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.

5. Affiliated Colleges Act Amendment Bill; second reading.
6. Necropolis Act Extension Bill; to be further considered in Committee.
7. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
8. Public Lands Bill; second reading.
9. Land Tax Bill; second reading.
10. Capital Punishments Abolition Bill; second reading.
11. Law of Primogeniture Abolition Bill; second reading.
12. Inquests concerning Fires Bill; second reading.
13. Sydney Council Debentures Bill; to be further considered in Committee.
14. Supreme Court Verdicts and Judgments Bill; second reading.
15. Commissioner at Newcastle Appointment Bill; second reading.
16. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
17. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
18. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
19. New Trials Bill; second reading.

**Questions :—**

1. **MR. LUCAS to ask THE HONORABLE THE PREMIER,--**  
 (1.) If the routine of Secular Instruction, and the efficiency expected in non-vested Schools, is the same as in vested National Schools; and if not, wherein they differ?  
 (2.) Whether the Teachers of non-vested Schools are paid two pounds per month less than those of the same classification appointed to vested National Schools; and if so, for what reason?
2. **MR. PIDDINGTON to ask THE COLONIAL TREASURER,--**  
 (1.) What is the total amount received in the Treasury from the 1st of January to the 31st of May, 1860, exclusive of the proceeds of Loans or Advances on account of Loans, and of all Lodgment Accounts, and Receipts from Church and School Lands?  
 (2.) What is the amount received in the Treasury from the 1st January to the 31st of May, 1860, on account of Sales of Public Land?  
 (3.) What is the sum estimated by the Colonial Treasurer to be receivable within the present year on account of Sales of Public Land?
3. **MR. ASHER to ask THE SECRETARY FOR LANDS,** with reference to a Petition presented to this Assembly, from the Mayor and Aldermen of Albury, praying that a Town Common adequate to the requirements of the Municipality of Albury may be speedily granted to them,—whether it is the intention of the Government to comply with the prayer of the Petitioners?
4. **MR. DENIEHY to ask THE SECRETARY FOR PUBLIC WORKS,--**Whether it is the intention of the Government to repair the Bridge at the north end of Sloane-street, near the Scots' Kirk, in the Town of Goulburn, being the main Southern Road as passing through the Municipality of Goulburn?
5. **MR. EGAN to ask THE SECRETARY FOR LANDS,--**Whether the Government has arrived at any decision with respect to certain Land at Wattle Flat, at one time in the occupation of Mr. Joseph Walford, which was unintentionally sold to another person, with the valuable improvements thereon; if so, what is the nature of the decision?

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WEDNESDAY, JUNE 20.

**GOVERNMENT BUSINESS—ORDER OF THE DAY :—**

1. Abattoir Road Bill; consideration in Committee of Legislative Council's Amendments.

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. **MR. LUCAS to move,** That the Resolution, reported from the Committee of the whole House, that it is desirable to introduce a Bill to regulate Chinese Immigration, be adopted.
2. **MR. HAY to move the following Resolutions :—**  
 (1.) That the establishment of a Custom House and Preventive System along an Inland Frontier Line is especially inconvenient and objectionable as applied to the Colonies of New South Wales and Victoria, the inhabitants of which speak the same language, are engaged in the same occupations, and are Subjects of the same Sovereign.  
 (2.) That, recognising fully the right of this Colony to obtain the duties on goods consumed within its Territory, this House is of opinion that every other means should be exhausted before the establishment of such Customs and Preventive System—the effect of which would be, for the most part, not to deprive the Government of Victoria of any revenue which it now unduly receives, but to subject the inhabitants of our South-western Districts to the payment of a double duty.  
 (3.) That the Treasury Notice of 23rd May ought to be revoked, and negotiations prosecuted with the Government of Victoria, for the purpose of establishing an uniformity and equitable division of Customs Duties.  
 (4.) That a copy of the foregoing Resolutions be forwarded to His Excellency the Governor General.

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THURSDAY,

THURSDAY, JUNE 21.

OTHER BUSINESS—NOTICE OF MOTION:—

1. DR. LANG to move, That, in the opinion of this House, it is expedient and necessary that a separate and distinct Department should be created in the Executive of this Colony, under the designation of the Ministry of Public Instruction or Education; that the Head of such Department should be a Cabinet Minister; and that all Educational and Charitable Institutions, throughout the Colony, receiving support or aid from the Public Treasury, should be under his superintendence and control.

ORDERS OF THE DAY:—

1. District Courts Act Amendment Bill; second reading.
2. Town Hall Site Exchange Bill; to be further considered in Committee.

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FRIDAY, JUNE 22.

OTHER BUSINESS—NOTICE OF MOTION:—

1. DR. LANG to move, That there be laid upon the Table of this House, on the first day of the next Session of Parliament, a Tabulated Nominal Return of all the Properties now held by Trustees or other Persons for the use of Denominational Schools, that is to say:—the quantity of land in each locality, and whether granted by Government or private persons; the description of buildings erected thereon, whether schools or teachers' residences, or both, and the present condition thereof, as regards their adequacy or otherwise, for school purposes; the date of the erection of such buildings; if rented, of whom, and the annual amount of such rent; if any improvements, the total cost of such erections and improvements in each place—distinguishing, in each case, the amount contributed from the public funds from that raised by private subscription; whether such contributions were made in cash or in other and what equivalent; the amount pledged for school buildings yet unpaid; the several and the entire estimated value of the properties at the present time vested in Trustees or otherwise, on account of Denominational Education; the names, in each case, of such Trustees, or of the owners of land or buildings used for each Denominational School.

T. A. MURRAY,  
*Speaker.*

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[Price, 6d.]



No. 115.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

TUESDAY, 19 JUNE, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Bridge over Wollandry Lagoon on the approach to the Town of Wagga Wagga :—Mr. Macleay presented a Petition from certain Inhabitants of Wagga Wagga, urging the strong necessity for the erection of this Bridge, both as an approach to the Town, and a means of escape in times of flood; and stating that the neighbouring allotments were purchased on the faith of the speedy erection thereof.  
 Petition received.
2. Paper :—Mr. Robertson laid upon the Table the Return to Address, in reference to Orders in Bastardy, adopted, on motion of Mr. Windeyer, on the 10th April last.  
 Ordered to be printed.
3. Indemnity Bill :—Before proceeding to the first Order of the Day, Sir Daniel Cooper took preliminary objection to the *Contingent* Motion of which Mr. Darvall had given notice, and which then stood on the Paper,—as interfering with the special precedence, given by the Order of the House on the 14th instant, to the consideration, this day, of the Legislative Council's Amendments in the Indemnity Bill.  
 The Speaker ruling that the reading of the Order of the Day would be a compliance with the Order of the House as regarded precedence, and that the making of the *Contingent* Motion, at that stage, as proposed, would not deprive the Order of the Day of its precedent character ;—  
 Order of the Day read :—  
 Whereupon, Mr. Darvall (*not making the Contingent Motion of which he had given notice*) moved, That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole, for the consideration of the Amendments made by the Legislative Council in this Bill.  
 Debate ensued.  
 Mr. Hodgson moved, That this Debate be now adjourned until to-morrow, to take precedence of all other Business on the Paper for that day.  
 Question put  
 The House divided.

Ayes, 35.

Mr. Robertson,	Mr. Martin,	
Mr. Jenkins,	Mr. Roberts,	
Mr. Weekes,	Mr. Windeyer,	
Mr. Atkinson,	Mr. Hay,	
Mr. Arnold,	Mr. Black,	
Mr. Gordon,	Mr. Fancett,	
Mr. Clements,	Mr. Samuel,	
Mr. Asher,	Mr. Hart,	
Mr. Dickson,	Mr. Hodgson,	
Mr. Deniehy,	Mr. Gray,	
Mr. Wilson,	Mr. Kemp,	
Mr. McArthur,	Mr. J. Campbell,	
Mr. Oxley,	Rev. Dr. Lang,	
Mr. Broughton,	Mr. Plunkett,	
Mr. Forster,	Mr. Mort,	
Mr. Macleay,	Mr. Blake,	
Mr. A. Campbell,	Mr. Piddington,	} Tellers.
Mr. Walker,		

Noes, 16.

Mr. Lucas,	
Mr. Hoskins,	
Mr. Garrett,	
Mr. Eckford,	
Mr. Parkes,	
Mr. Cummings,	
Mr. Close,	
Mr. Terry,	
Mr. Flett,	
Mr. Farnell,	
Mr. Jamison,	
Mr. Egan,	
Mr. Laycock,	
Mr. Pemell,	
Mr. Oakes,	} Tellers.
Mr. Byrnes,	

4. Tolls Amendment Act Repeal Bill :—The Speaker reported the following Message from the Legislative Council :—  
 MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to repeal so much of the Tolls Amendment Act 1857 as relates to Broad Wheels*," with the Amendments indicated by the accompanying Schedule, including an Amendment in the Title, in which Amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,  
 Sydney, 19th June, 1860.

W. W. BURTON,  
 President.  
 Mr.

Mr. Robertson moved, That the consideration in Committee of the Amendments made by the Legislative Council in this Bill stand an Order of the Day for to-morrow.

Question put and passed.

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

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JUNE 20.

### OTHER BUSINESS—ORDER OF THE DAY :—

1. Indemnity Bill ; Resumption of the Adjourned Debate on Mr. Darvall's motion, "That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole, for the consideration of the Amendments made by the Legislative Council in this Bill."

### GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Abattoir Road Bill ; consideration in Committee of Legislative Council's Amendments.
2. Tolls Amendment Act Repeal Bill ; consideration in Committee of Legislative Council's Amendments.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. LUCAS to move, That the Resolution, reported from the Committee of the whole House, that it is desirable to introduce a Bill to regulate Chinese Immigration, be adopted.
2. Mr. HAY to move the following Resolutions :—
  - (1.) That the establishment of a Custom House and Preventive System along an Inland Frontier Line is especially inconvenient and objectionable as applied to the Colonies of New South Wales and Victoria, the inhabitants of which speak the same language, are engaged in the same occupations, and are Subjects of the same Sovereign.
  - (2.) That, recognising fully the right of this Colony to obtain the duties on goods consumed within its Territory, this House is of opinion that every other means should be exhausted before the establishment of such Customs and Preventive System—the effect of which would be, for the most part, not to deprive the Government of Victoria of any revenue which it now unduly receives, but to subject the inhabitants of our South-western Districts to the payment of a double duty.
  - (3.) That the Treasury Notice of 23rd May ought to be revoked, and negotiations prosecuted with the Government of Victoria, for the purpose of establishing an uniformity and equitable division of Customs Duties.
  - (4.) That a copy of the foregoing Resolutions be forwarded to His Excellency the Governor General.
3. Mr. MACLEAY to move, That the Petition presented by him on the 19th June, from certain Inhabitants of Wagga Wagga, relative to the want of a Bridge at that place, be printed.
4. Mr. MACLEAY to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1860, a sum not exceeding £700 for the erection of a Bridge over the Wollandry Lagoon at Wagga Wagga.
5. Mr. TERRY to move,—
  - (1.) That in the opinion of this House, it is detrimental to the public interest for a Government Officer—Crown Law Officers excepted—to undertake, either directly or indirectly, private employment from individuals or companies ; and any such Officer so undertaking private employment ought to be dismissed the service.
  - (2.) That the above Resolution be embodied in an Address to the Governor General, praying that His Excellency will bring it under the notice of the Executive Council.
6. Mr. WILSON to move, That the Report of the Select Committee on the Church and School Lands, laid upon the Table of this House on the 24th April, be now adopted.
7. Mr. DENISBY to move, That the Report of the Committee of Inquiry into the University of Sydney, brought up and laid upon the Table of the House, be adopted.
8. Mr. FORSTER to move, That it is the opinion of this House,—
  - (1.) That the distribution of the Funds reserved for Public Worship under Schedule C of the Constitution Act was intended to take effect in accordance with the Act of Council, 7 William 4th, No. 3, commonly known as Sir Richard Bourke's Act.
  - (2.) That, therefore, the payment of stipends to dignitaries of any Church, as such, in excess of the stipends authorised by the Act last specified above, ought to be discontinued.
9. Mr. MARTIN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A copy of the Judge's Notes taken at the recent trial of the two soldiers for the murder of the late Inspector M'Gee.
  - (2.) A copy of the Information filed by the Attorney General in the case.
  - (3.) A statement of the Judge's charge to the Jury, and the verdict and sentence.

10. MR. KEMP to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, and other papers having reference to the case of Mr. N. L. Kentish.

ORDERS OF THE DAY :—

1. Penrith Nepean Bridge Re-construction Bill; second reading.
2. Resumption of the Adjourned Debate on Mr. Darvall's motion,—  
 “ (1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risk of trade, and gives undue encouragement to speculation and the extension of credit.  
 “ (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.”
3. Enforcement of Claims against the Crown Bill; second reading.
4. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
5. Affiliated Colleges Act Amendment Bill; second reading.
6. Necropolis Act Extension Bill; to be further considered in Committee.
7. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
8. Public Lands Bill; second reading.
9. Land Tax Bill; second reading.
10. Capital Punishments Abolition Bill; second reading.
11. Law of Primogeniture Abolition Bill; second reading.
12. Inquests concerning Fires Bill; second reading.
13. Sydney Council Debentures Bill; to be further considered in Committee.
14. Supreme Court Verdicts and Judgments Bill; second reading.
15. Commissioner at Newcastle Appointment Bill; second reading.
16. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
17. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
18. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
19. New Trials Bill; second reading.

Questions :—

1. MR. WILSON to ask THE HONORABLE THE PREMIER,—Whether the Government have received any Petition or Memorial praying for the commutation of the sentence of three years' imprisonment, passed in October last on John Garsed, for wilful perjury; if so, have the Government any objections to lay the said Petition or Memorial upon the Table of this House?
2. MR. A. CAMPBELL to ask THE SECRETARY FOR PUBLIC WORKS,—When is it intended to call for Tenders for the erection of a Court House and Watchhouse in the Township of Nowra, Shoalhaven?
3. MR. PARKES to ask THE SECRETARY FOR LANDS,—  
 (1.) Whether the Government have received any Despatches or other Documents from England, of later date than the Papers laid upon the Table of this House on the subject of the establishment of Steam Communication *via* the Isthmus of Panama; and, if any such Papers have been received, whether there is any objection to lay copies of all such Papers upon the Table?  
 (2.) Whether the Government can state the course they intend to take with reference to the Address of this House in favor of connecting Sydney and Panama, as early as possible, by a Monthly Line of Steamers?

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THURSDAY, JUNE 21.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG to move, That, in the opinion of this House, it is expedient and necessary that a separate and distinct Department should be created in the Executive of this Colony, under the designation of the Ministry of Public Instruction or Education; that the Head of such Department should be a Cabinet Minister; and that all Educational and Charitable Institutions, throughout the Colony, receiving support or aid from the Public Treasury, should be under his superintendence and control.

ORDERS OF THE DAY :—

1. District Courts Act Amendment Bill; second reading.
  2. Town Hall Site Exchange Bill; to be further considered in Committee.
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FRIDAY,

FRIDAY, JUNE 22.

## OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG to move, That there be laid upon the Table of this House, on the first day of the next Session of Parliament, a Tabulated Nominal Return of all the Properties now held by Trustees or other Persons for the use of Denominational Schools, that is to say :—the quantity of land in each locality, and whether granted by Government or private persons ; the description of buildings erected thereon, whether schools or teachers' residences, or both, and the present condition thereof, as regards their adequacy or otherwise, for school purposes ; the date of the erection of such buildings ; if rented, of whom, and the annual amount of such rent ; if any improvements, the total cost of such erections and improvements in each place—distinguishing, in each case, the amount contributed from the public funds from that raised by private subscription ; whether such contributions were made in cash or in other and what equivalent ; the amount pledged for school buildings yet unpaid ; the several and the entire estimated value of the properties at the present time vested in Trustees or otherwise, on account of Denominational Education ; the names, in each case, of such Trustees, or of the owners of land or buildings used for each Denominational School.

T. A. MURRAY,  
*Speaker.*

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[Price, 6d.]

No. 116.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

WEDNESDAY, 20 JUNE, 1860.

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

Postponements :—

- (1.) Mr. Hay postponed the motion standing in his name, No. 2 on the Notice Paper for to-day, until to-morrow.

- (2.) Mr. Macleay postponed the motions standing in his name, Nos. 3 and 4 on the Notice Paper for to-day, until to-morrow.

2. Indemnity Bill :—The Adjourned Debate on Mr. Darvall's motion, "*That*" the Speaker "do now leave the Chair, and the House resolve itself into a Committee of the Whole, "for the consideration of the Amendments made by the Legislative Council in this "*Bill*,"—resumed.

*Point of Order* :—The Honorable and learned Member for West Sydney, calling the Honorable Member for The Glebe to Order, for reflections made by him upon the Other House of Parliament, and upon recent Debates therein ;—

The Speaker stated that the Rules of the Imperial Parliament, by which this House is bound (except in matters specially provided for by its own Standing Orders) are,—

1. (*Rule 164.*) That no Member may allude to any Debate in the Other House of Parliament; and

2. (*Rule 166.*) That no Member may use offensive words against either House of Parliament.

*Debate on Main Question continued.*

(*Interruption.*)

3. Assent to Bills :—The following Messages from His Excellency the Governor General received and read :—

- (1.) Public Loan Bill, 1860 :—

W. DENISON,

*Governor General.*

*Message No. 45.*

A Bill, intituled "*An Act to enable the Government to raise Loans for certain Public Works and to pay off certain Land and Immigration Debentures falling due "in 1860,"*" as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,*

*Sydney, 20th June, 1860.*

- (2.) Hawkesbury Benevolent Society's Act Amendment Bill :—

W. DENISON,

*Governor General.*

*Message No. 46.*

A Bill, intituled "*An Act to amend the Hawkesbury Benevolent Society's "Act of Incorporation,"*" as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,*

*Sydney, 20th June, 1860.*

(3.)

## (3.) Seamen's Engagement Amendment Bill :—

W. DENISON.

Governor General.

Message No. 47.

A Bill, intituled "*An Act to facilitate the Engagement of Seamen for the Colonial Trade*," as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,

Sydney, 20th June, 1860.

4. Indemnity Bill :—*The Debate on the Main Question* (interrupted by the foregoing Messages,) resumed.

Mr. Gordon moved, That the Question be amended, by the omission of all the words between the word "*That*" at the commencement, and the word "*Bill*" at the end, with a view to the insertion in their place of the words,—"*this House will proceed no further on consideration of the said*".

Debate continued.

Motion made by Mr. Plunkett, and Question put,—That this Debate be now adjourned until to-morrow,—to take precedence of all other Business on the Paper for that day. The House divided.

## Ayes, 26.

Mr. Dickson,	Mr. Broughton,	} Tellers.
Mr. Irving,	Mr. Lyons,	
Mr. Windeyer,	Mr. A. Campbell,	
Mr. Lord,	Mr. Walker,	
Mr. Donohy,	Mr. Darvall,	
Mr. Samuel,	Mr. Macleay,	
Mr. Kemp,	Mr. Fausett,	
Mr. McArthur,	Mr. Black,	
Mr. Asher,	Mr. Piddington,	
Mr. Scott,	Mr. Hodgson,	
Mr. Plunkett,	Mr. Byrnes,	
Mr. Oxley,	Mr. Clements,	
Mr. Forster,	Mr. Mort,	

## Noes, 25.

Mr. Robertson,	Mr. Cooper,	} Tellers.
Mr. Weekes,	Mr. Gray,	
Mr. Parkes,	Mr. Arnold,	
Mr. Eckford,	Mr. Atkinson,	
Mr. Terry,	Mr. Close,	
Mr. Hoskins,	Mr. Egan,	
Mr. Laycock,	Mr. Wilson,	
Mr. Gordon,	Mr. Pemell,	
Mr. Jamison,	Mr. J. Campbell,	
Mr. Flett,	Rev. Dr. Lang,	
Mr. Cummings,	Mr. Lucas,	
Mr. Oakes,	Mr. Garrett,	
Mr. Farnell,		

The House adjourned, on motion of Mr. Robertson, at five minutes before Eleven o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JUNE 21.

## OTHER BUSINESS—ORDER OF THE DAY :—

1. Indemnity Bill ; Resumption of the Adjourned Debate on Mr. Darvall's motion, "*That*" the Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole, for the consideration of the Amendments made by the Legislative Council in this "*Bill*," upon which Mr. Gordon had moved, by way of Amendment, That all the words between the word "*That*" at the commencement, and the word "*Bill*," at the end, be omitted, with a view to the insertion in their place of the words "*this House will proceed no further on consideration of the said*".

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Abattoir Road Bill ; consideration in Committee of Legislative Council's Amendments.
2. Tolls Amendment Act Repeal Bill ; consideration in Committee of Legislative Council's Amendments.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move, That, in the opinion of this House, it is expedient and necessary that a separate and distinct Department should be created in the Executive of this Colony, under the designation of the Ministry of Public Instruction or Education ; that the Head of such Department should be a Cabinet Minister ; and that all Educational and Charitable Institutions, throughout the Colony, receiving support or aid from the Public Treasury, should be under his superintendence and control.
2. MR. HAY to move the following Resolutions :—
  - (1.) That the establishment of a Custom House and Preventive System along an Inland Frontier Line is especially inconvenient and objectionable as applied to the Colonies of New South Wales and Victoria, the inhabitants of which speak the same language, are engaged in the same occupations, and are Subjects of the same Sovereign.
  - (2.) That, recognising fully the right of this Colony to obtain the duties on goods consumed within its Territory, this House is of opinion that every other means should be exhausted before the establishment of such Customs and Preventive System—the effect of which would be, for the most part, not to deprive the Government of Victoria of any revenue which it now unduly receives, but to subject the inhabitants of our South-western Districts to the payment of a double duty.

(3.)

- (3.) That the Treasury Notice of 23rd May ought to be revoked, and negotiations prosecuted with the Government of Victoria, for the purpose of establishing an uniformity and equitable division of Customs Duties.
- (4.) That a copy of the foregoing Resolutions be forwarded to His Excellency the Governor General.
3. MR. MACLEAY to move, That the Petition presented by him on the 19th June, from certain Inhabitants of Wagga Wagga, relative to the want of a Bridge at that place, be printed.
4. MR. MACLEAY to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1860, a sum not exceeding £700, for the erection of a Bridge over the Wollandry Lagoon at Wagga Wagga.
5. MR. DENIEHY to move, That by reason of the invalidity of the proceedings at the recent Election for the Tumut, purporting to result in the return of Daniel Henry Deniehy, Esquire, for the Electoral District of Tumut aforesaid, the Seat therefor vacated by George Dunmore Lang, Esquire, still remains vacant.
6. MR. LUCAS to move, That the Resolution, reported from the Committee of the whole House, that it is desirable to introduce a Bill to regulate Chinese Immigration, be adopted.
7. MR. TERRY to move,—
- (1.) That in the opinion of this House, it is detrimental to the public interest for a Government Officer—Crown Law Officers excepted—to undertake, either directly or indirectly, private employment from individuals or companies; and any such Officer so undertaking private employment ought to be dismissed the service.
- (2.) That the above Resolution be embodied in an Address to the Governor General, praying that His Excellency will bring it under the notice of the Executive Council.
8. MR. WILSON to move, That the Report of the Select Committee on the Church and School Lands, laid upon the Table of this House on the 24th April, be now adopted.
9. MR. DENIEHY to move, That the Report of the Committee of Inquiry into the University of Sydney, brought up and laid upon the Table of the House, be adopted.
10. MR. FORSTER to move, That it is the opinion of this House,—
- (1.) That the distribution of the Funds reserved for Public Worship under Schedule C of the Constitution Act was intended to take effect in accordance with the Act of Council, 7 William 4th, No. 3, commonly known as Sir Richard Bourke's Act.
- (2.) That, therefore, the payment of stipends to dignitaries of any Church, as such, in excess of the stipends authorised by the Act last specified above, ought to be discontinued.
11. MR. MARTIN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
- (1.) A copy of the Judge's Notes taken at the recent trial of the two soldiers for the murder of the late Inspector McGee.
- (2.) A copy of the Information filed by the Attorney General in the case.
- (3.) A statement of the Judge's charge to the Jury, and the verdict and sentence.
12. MR. KEMP to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, and other papers having reference to the case of Mr. N. L. Kentish.

ORDERS OF THE DAY :—

1. District Courts Act Amendment Bill; second reading.
2. Town Hall Site Exchange Bill; to be further considered in Committee.
3. Penrith Nepean Bridge Re-construction Bill; second reading.
4. Resumption of the Adjourned Debate on Mr. Darvall's motion,—
- “ (1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risk of trade, and gives undue encouragement to speculation and the extension of credit.
- “ (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.”
5. Enforcement of Claims against the Crown Bill; second reading.
6. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
7. Affiliated Colleges Act Amendment Bill; second reading.
8. Necropolis Act Extension Bill; to be further considered in Committee.
9. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
10. Public Lands Bill; second reading.
11. Land Tax Bill; second reading.
12. Capital Punishments Abolition Bill; second reading.
13. Law of Primogeniture Abolition Bill; second reading.
14. Inquests concerning Fires Bill; second reading.
15. Sydney Council Debentures Bill; to be further considered in Committee.
16. Supreme Court Verdicts and Judgments Bill; second reading.
17. Commissioner at Newcastle Appointment Bill; second reading.
18. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
19. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
20. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
21. New Trials Bill; second reading.

Question :—

*Question :—*

1. MR. HAY to ask THE HONORABLE THE PREMIER,—Has the Government any intention of providing for the administration of the business of the Bench of Moama, through the Victorian Police Magistrate at Echuca ; or has any correspondence taken place with the Victorian Government on the subject ?

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FRIDAY, JUNE 22.

## OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG to move, That there be laid upon the Table of this House, on the first day of the next Session of Parliament, a Tabulated Nominal Return of all the Properties now held by Trustees or other Persons for the use of Denominational Schools, that is to say :—the quantity of land in each locality, and whether granted by Government or private persons ; the description of buildings erected thereon, whether schools or teachers' residences, or both, and the present condition thereof, as regards their adequacy or otherwise, for school purposes ; the date of the erection of such buildings ; if rented, of whom, and the annual amount of such rent ; if any improvements, the total cost of such erections and improvements in each place—distinguishing, in each case, the amount contributed from the public funds from that raised by private subscription ; whether such contributions were made in cash or in other and what equivalent ; the amount pledged for school buildings yet unpaid ; the several and the entire estimated value of the properties at the present time vested in Trustees or otherwise, on account of Denominational Education ; the names, in each case, of such Trustees, or of the owners of land or buildings used for each Denominational School.

*Questions :—*

1. MR. LAYCOCK to ask THE SECRETARY FOR LANDS,—What sums were actually expended on the Windsor Road, a distance of 21 miles, during the year 1859 ?
2. MR. HART to ask THE HONORABLE THE PREMIER,—
  1. If the attention of the Government has been called to the severity of the sentences passed at the present Court of Quarter Sessions, Sydney, by the Deputy Chairman, Mr. Holroyd, upon persons who were tried before him, and, amongst other cases, to the following :—
    - (1.) That a woman, named Eliza Atwell, for stealing some articles of wearing apparel was sentenced to be imprisoned in Parramatta Gaol with hard labor for 3 years, the first week in each month to be kept in solitary confinement, or, in other words, to 9 months solitary confinement.
    - (2.) That Maria Graham, for stealing some articles of wearing apparel from her employer, was sentenced to be imprisoned in Parramatta Gaol with hard labor for 6 months.
    - (3.) That Edward Edmondson, for stealing from his employer, was sentenced to be imprisoned in the same gaol with hard labor for 2 years, 1 week in every 3 months solitary confinement.
    - (4.) That a prisoner, named Wade, for picking a pocket and stealing a portmonnaie containing 2s. 8d., was sentenced to be worked on the roads or other public works of the Colony for 7 years.
  2. What steps do the Government intend to take to remedy the inequality of sentences passed at this Court ?

T. A. MURRAY,  
Speaker.

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[Price, 6d.]



No. 117.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

THURSDAY, 21 JUNE, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Leave of Absence:—Point of Order:—Mr. Robertson moved, without previous notice, That leave of absence for a fortnight be granted to Mr. Rotton.  
The Speaker said, that the course pursued in the present instance being in accordance with the previous practice of this House, he would not take exception to it; but he wished it to be understood that, in future, Notice would be required to be given, stating the cause as well as the period of the proposed absence—in accordance with the 77th rule of the House of Commons, by which this House is bound in such cases by its own Standing Orders.  
Question then put and passed.
2. Postponement:—Mr. Hay postponed the motion standing in his name, No. 2 on the Notice Paper for to-day, until Tuesday next.
3. Indemnity Bill:—The Adjourned Debate on Mr. Darvall's motion, "*That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole, for the consideration of the Amendments made by the Legislative Council in this Bill,*" upon which Mr. Gordon had moved, by way of Amendment, That all the words between the word "*That*" at the commencement, and the word "*Bill,*" at the end, be omitted, with a view to the insertion in their place of the words "*this House will proceed no further on consideration of the said*",—resumed.

And the House continuing to sit till after Midnight,—

FRIDAY, 22 JUNE, 1860. A.M.

Motion made by Mr. Black, and Question put, That this Debate be now adjourned until this Afternoon, to take precedence of all other Business on the Paper.

The House divided.

Ayes, 18.

Mr. Clements,	Mr. Forster,	} Tellers.
Mr. Mort,	Mr. Faucett,	
Mr. A. Campbell,	Mr. Black,	
Mr. Darvall,	Mr. Piddington,	
Mr. Terry,		
Mr. Oxley,		
Mr. Blake,		
Mr. Laycock,		
Mr. Macleay,		
Mr. Roberts,		
Mr. Kemp,		} Tellers.
Mr. Plunkett,		
Mr. Deniehy,		
Mr. Hay,		

Noes, 28.

Mr. Robertson,	Mr. Jamison,	} Tellers.
Mr. Weekes,	Mr. Atkinson,	
Mr. Windeyer,	Mr. Egan,	
Mr. Lucas,	Mr. Wilson,	
Mr. Farnell,	Mr. Eckford,	
Mr. Arnold,	Mr. Parnell,	
Mr. Cummings,	Mr. Hoskins,	
Mr. McArthur,	Mr. Scott,	
Mr. Hart,	Mr. Gray,	
Mr. Byrnes,	Mr. Oakes,	
Mr. Parkes,	Mr. Dickson,	} Tellers.
Mr. Flett,	Rev. Dr. Lang,	
Mr. F. Cooper,	Mr. Asher,	
Mr. Gordon,	Mr. Garrett,	

Main Question stated.

Debate continued.

Motion made by Mr. Terry, and Question put, That this Debate be now adjourned until a later hour this day.

The

The House divided.

Ayes, 8.

Mr. Plunkett,  
Mr. Faucett,  
Mr. Forster,  
Mr. Deniehy,  
Mr. Roberts,  
Mr. Macleay,  
Mr. Clements,  
Mr. Terry, } Tellers.

Noes, 31.

Mr. Robertson, Mr. Cummings,  
Mr. Weekes, Mr. Gordon,  
Rev. Dr. Lang, Mr. Scott,  
Mr. Oakes, Mr. Pemell,  
Mr. Dickson, Mr. Asher,  
Mr. Lucas, Mr. Gray,  
Mr. Hoskins, Mr. Eckford,  
Mr. Garrett, Mr. Byrnes,  
Mr. Parkes, Mr. Wilson,  
Mr. McArthur, Mr. Flett,  
Mr. Black, Mr. F. Cooper,  
Mr. Hart, Mr. Jamison,  
Mr. Egan, Mr. Atkinson,  
Mr. Farnell, Mr. A. Campbell, } Tellers.  
Mr. Arnold, Mr. Windeyer,  
Mr. Blake,

Main Question stated.

Debate continued.

The Speaker stated that before putting the Question he thought it proper to mention that before the House entertained the motion for the consideration of the Legislative Council's Amendments in this Bill, he had deemed it his duty to consider carefully whether it might not, in its altered form, infringe on the privileges of the House, but that, after referring to many authorities, he had arrived at the conclusion that the Bill was not a "Money Bill," either as originally introduced or as amended—and that, had he been of a different opinion he would have felt it his duty to express the same to the House before any action was taken in the matter.

Question then put—That the words proposed to be omitted stand part of the Question.

The House divided.

Ayes 16.

Mr. Clements,  
Mr. Hay,  
Mr. Martin,  
Mr. Darvall,  
Mr. A. Campbell,  
Mr. Kemp,  
Mr. Deniehy,  
Mr. Forster,  
Mr. Mort,  
Mr. Roberts,  
Mr. Macleay,  
Mr. Oxley,  
Mr. Plunkett,  
Mr. Piddington,  
Mr. Faucett,  
Mr. Black, } Tellers.

Noes 31.

Mr. Robertson, Mr. Atkinson,  
Mr. Weekes, Mr. Flett,  
Mr. F. Cooper, Mr. Scott,  
Mr. Arnold, Mr. Terry,  
Mr. Blake, Mr. Jamison,  
Mr. Lucas, Mr. Byrnes,  
Mr. Garrett, Mr. Asher,  
Mr. Laycock, Mr. Pemell,  
Mr. Farnell, Mr. Eckford,  
Mr. Gordon, Mr. Dickson,  
Mr. McArthur, Rev. Dr. Lang,  
Mr. Egan, Mr. Hoskins,  
Mr. Hart, Mr. Oakes,  
Mr. Gray, Mr. Parkes, } Tellers.  
Mr. Cummings, Mr. Windeyer,  
Mr. Wilson,

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

The House divided.

Ayes, 31.

Mr. Robertson, Mr. Scott,  
Mr. Weekes, Mr. Gordon,  
Mr. Arnold, Mr. Terry,  
Mr. Blake, Mr. Asher,  
Mr. F. Cooper, Mr. Flett,  
Mr. Farnell, Mr. Hoskins,  
Mr. Lucas, Mr. Pemell,  
Mr. Parkes, Mr. Byrnes,  
Mr. Hart, Rev. Dr. Lang,  
Mr. Egan, Mr. Dickson,  
Mr. Cummings, Mr. Eckford,  
Mr. Jamison, Mr. Oakes,  
Mr. McArthur, Mr. Atkinson,  
Mr. Gray, Mr. Garrett, } Tellers.  
Mr. Wilson, Mr. Windeyer,  
Mr. Laycock,

Noes, 10.

Mr. Black,  
Mr. Clements,  
Mr. Deniehy,  
Mr. Hay,  
Mr. Kemp,  
Mr. A. Campbell,  
Mr. Forster,  
Mr. Roberts,  
Mr. Piddington, } Tellers.  
Mr. Oxley,

Whereupon, Question put,—That this House will proceed no further on consideration of the said Bill.

The House divided.

Ayes, 31.

Mr. Robertson, Mr. Laycock,  
Mr. Weekes, Mr. Scott,  
Mr. Arnold, Mr. Gordon,  
Mr. F. Cooper, Mr. Terry,  
Mr. Garrett, Mr. Asher,  
Mr. Farnell, Mr. Flett,  
Mr. Lucas, Mr. Hoskins,  
Mr. Hart, Mr. Pemell,  
Mr. Parkes, Mr. Byrnes,  
Mr. Egan, Rev. Dr. Lang,  
Mr. Cummings, Mr. Dickson,  
Mr. Jamison, Mr. Eckford,  
Mr. McArthur, Mr. Oakes,  
Mr. Atkinson, Mr. Blake, } Tellers.  
Mr. Gray, Mr. Windeyer,  
Mr. Wilson,

Noes, 9.

Mr. Clements,  
Mr. Deniehy,  
Mr. Hay,  
Mr. Kemp,  
Mr. A. Campbell,  
Mr. Roberts,  
Mr. Forster,  
Mr. Black, } Tellers.  
Mr. Oxley,

The House adjourned, on motion of Mr. Robertson, at ten minutes before Two o'clock, A.M., until *Tuesday next*, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JUNE 26.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HAY to move the following Resolutions :—
  - (1.) That the establishment of a Custom House and Preventive System along an Inland Frontier Line is especially inconvenient and objectionable as applied to the Colonies of New South Wales and Victoria, the inhabitants of which speak the same language, are engaged in the same occupations, and are Subjects of the same Sovereign.
  - (2.) That, recognising fully the right of this Colony to obtain the duties on goods consumed within its Territory, this House is of opinion that every other means should be exhausted before the establishment of such Customs and Preventive System—the effect of which would be, for the most part, not to deprive the Government of Victoria of any revenue which it now unduly receives, but to subject the inhabitants of our South-western Districts to the payment of a double duty.
  - (3.) That the Treasury Notice of 23rd May ought to be revoked, and negotiations prosecuted with the Government of Victoria, for the purpose of establishing an uniformity and equitable division of Customs Duties.
  - (4.) That a copy of the foregoing Resolutions be forwarded to His Excellency the Governor General.
2. MR. CLEMENTS to move, That leave of absence be granted for a fortnight to Mr. Hamilton, Member for Monaro, in consequence of ill-health.
3. DR. LANG to move, That, in the opinion of this House, it is expedient and necessary that a separate and distinct Department should be created in the Executive of this Colony, under the designation of the Ministry of Public Instruction or Education; that the Head of such Department should be a Cabinet Minister; and that all Educational and Charitable Institutions, throughout the Colony, receiving support or aid from the Public Treasury, should be under his superintendence and control.
4. MR. MACLEAY to move, That the Petition presented by him on the 19th June, from certain Inhabitants of Wagga Wagga, relative to the want of a Bridge at that place, be printed.
5. MR. MACLEAY to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1860, a sum not exceeding £700, for the erection of a Bridge over the Wollandry Lagoon at Wagga Wagga.
6. MR. DENIEHY to move, That by reason of the invalidity of the proceedings at the recent Election for the Tumut, purporting to result in the return of Daniel Henry Deniehy, Esquire, for the Electoral District of Tumut aforesaid, the Seat therefor, vacated by George Dunmore Lang, Esquire, still remains vacant.
7. MR. LUCAS to move, That the Resolution, reported from the Committee of the whole House, that it is desirable to introduce a Bill to regulate Chinese Immigration, be adopted.
8. MR. TERRY to move,—
  - (1.) That in the opinion of this House, it is detrimental to the public interest for a Government Officer—Crown Law Officers excepted—to undertake, either directly or indirectly, private employment from individuals or companies; and any such Officer so undertaking private employment ought to be dismissed the service.
  - (2.) That the above Resolution be embodied in an Address to the Governor General, praying that His Excellency will bring it under the notice of the Executive Council.
9. MR. WILSON to move, That the Report of the Select Committee on the Church and School Lands, laid upon the Table of this House on the 24th April, be now adopted.
10. MR. DENIEHY to move, That the Report of the Committee of Inquiry into the University of Sydney, brought up and laid upon the Table of the House, be adopted.
11. MR. FORSTER to move, That it is the opinion of this House,—
  - (1.) That the distribution of the Funds reserved for Public Worship under Schedule C of the Constitution Act was intended to take effect in accordance with the Act of Council, 7 William 4th, No. 3, commonly known as Sir Richard Bourke's Act.
  - (2.) That, therefore, the payment of stipends to dignitaries of any Church, as such, in excess of the stipends authorised by the Act last specified above, ought to be discontinued.
12. MR. MARTIN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
  - (1.) A copy of the Judge's Notes taken at the recent trial of the two soldiers for the murder of the late Inspector McGee.
  - (2.) A copy of the Information filed by the Attorney General in the case.
  - (3.) A statement of the Judge's charge to the Jury, and the verdict and sentence.
13. MR. KEMP to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, and other papers having reference to the case of Mr. N. L. Kentish.

14. DR. LANG to move, That there be laid upon the Table of this House, on the first day of the next Session of Parliament, a Tabulated Nominal Return of all the Properties now held by Trustees or other Persons for the use of Denominational Schools, that is to say :—the quantity of land in each locality, and whether granted by Government or private persons; the description of buildings erected thereon, whether schools or teachers' residences, or both, and the present condition thereof, as regards their adequacy or otherwise, for school purposes; the date of the erection of such buildings; if rented, of whom, and the annual amount of such rent; if any improvements, the total cost of such erections and improvements in each place—distinguishing, in each case, the amount contributed from the public funds from that raised by private subscription; whether such contributions were made in cash or in other and what equivalent; the amount pledged for school buildings yet unpaid; the several and the entire estimated value of the properties at the present time vested in Trustees or otherwise, on account of Denominational Education; the names, in each case, of such Trustees, or of the owners of land or buildings used for each Denominational School.

ORDERS OF THE DAY :—

1. District Courts Act Amendment Bill; second reading.
2. Town Hall Site Exchange Bill; to be further considered in Committee.
3. Penrith Nepean Bridge Re-construction Bill; second reading.
4. Resumption of the Adjourned Debate on Mr. Darvall's motion,—  
 “(1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risk of trade, and gives undue encouragement to speculation and the extension of credit.  
 “(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.”
5. Enforcement of Claims against the Crown Bill; second reading.
6. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
7. Affiliated Colleges Act Amendment Bill; second reading.
8. Necropolis Act Extension Bill; to be further considered in Committee.
9. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
10. Public Lands Bill; second reading.
11. Land Tax Bill; second reading.
12. Capital Punishments Abolition Bill; second reading.
13. Law of Primogeniture Abolition Bill; second reading.
14. Inquests concerning Fires Bill; second reading.
15. Sydney Council Debentures Bill; to be further considered in Committee.
16. Supreme Court Verdicts and Judgments Bill; second reading.
17. Commissioner at Newcastle Appointment Bill; second reading.
18. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
19. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
20. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
21. New Trials Bill; second reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Abattoir Road Bill; consideration in Committee of Legislative Council's Amendments.
2. Tolls Amendment Act Repeal Bill; consideration in Committee of Legislative Council's Amendments.

Questions :—

1. MR. ASHER to ask THE HONORABLE THE PREMIER (with reference to a Petition adopted at a Public Meeting at Albury, and signed by eight hundred persons, having reference to the establishment of a Custom House there, which Petition was forwarded to His Excellency the Governor General);—Whether the Government intend to comply with the prayer of the Petitioners; also, whether the Government will have any objection to lay a copy of said Petition upon the Table of this House?
2. MR. HOSKINS to ask THE SECRETARY FOR LANDS,—  
 (1.) Whether the Government are aware that an application was made to the Surveyor General in the early part of the year, requesting that land might be surveyed and put up for sale in allotments suitable for farms, in the vicinity of the Township of Uralla, in the District of New England?  
 (2.) Whether it is the intention of the Government to comply with that request?
3. MR. LAYCOCK to ask THE SECRETARY FOR LANDS,—What sums were actually expended on the Windsor Road, a distance of 21 miles, during the year 1859?
4. MR. HART to ask THE HONORABLE THE PREMIER,—  
 1. If the attention of the Government has been called to the severity of the sentences passed at the present Court of Quarter Sessions, Sydney, by the Deputy Chairman, Mr. Holroyd, upon persons who were tried before him, and, amongst other cases, to the following :—  
 (1.) That a woman, named Eliza Atwell, for stealing some articles of wearing apparel was sentenced to be imprisoned in Parramatta Gaol with hard labor for 3 years, the first week in each month to be kept in solitary confinement, or, in other words, to 9 months solitary confinement.

(2.)

(2.) That Maria Graham, for stealing some articles of wearing apparel from her employer, was sentenced to be imprisoned in Parramatta Gaol with hard labor for 6 months.

(3.) That Edward Edmondson, for stealing from his employer, was sentenced to be imprisoned in the same gaol with hard labor for 2 years, 1 week in every 3 months solitary confinement.

(4.) That a prisoner, named Wade, for picking a pocket and stealing a portmonnaie containing 2s. 8d., was sentenced to be worked on the roads or other public works of the Colony for 7 years.

2. What steps do the Government intend to take to remedy the inequality of sentences passed at this Court?

5. MR. ASHER to ask THE COLONIAL TREASURER,—When he will place upon the Table of this House, the Papers containing the amount of Duties collected at Albury during the period of a Custom House there, and the number of Seizures during same time—a statement of these matters having been agreed to by the Honorable Gentleman?

6. MR. ASHER to ask THE COLONIAL TREASURER,—What amount of money was received by the Government during last year, for Licenses and Assessments for Runs in the Districts of the Hume, the Murray, and Balranald; also, what amount of money was expended for Police purposes in the same Districts?

7. MR. WILSON to ask THE SECRETARY FOR LANDS,—If it was with the knowledge and consent of this Government that the Surveyor General of Victoria has surveyed and marked a road to Kiandra?

T. A. MURRAY,

*Speaker.*



No. 118.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

TUESDAY, 26 JUNE, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Papers:—Mr. Robertson laid upon the Table the following Papers:—  
 (1.) Further Correspondence relating to Steam Postal Service.  
 (2.) Fourth Annual Report of the Registrar General on the Registration of Births, Deaths, and Marriages, for 1859.  
 Ordered to be printed.  
 (3.) Mr. Weekes (*in reply to a Question from Mr. Asher, standing No. 1 on the Paper of to-day,*) laid upon the Table a Petition adopted at a Public Meeting at Albury, and addressed to the Governor General, in reference to the establishment of a Custom House there.  
 Ordered to be printed.  
 (4.) Mr. Weekes laid upon the Table, the Return to Address relative to the amount paid to Customs Officers for Overtime, adopted, on motion of Mr. Lucas, on the 5th June last.
2. Question of Privilege:—The Speaker, referring to certain Resolutions passed by this House on the 25th January last, respecting the Appointment of Clerks and other Officers of the House, brought under notice, and read, certain Correspondence which had taken place between himself and the Government, relative to the appointment of a Sergeant-at-Arms, in the place of Mr. Shadforth, who has been appointed Usher of the Black Rod to the Legislative Council.  
 Mr. Piddington moved, "That" the Correspondence, as read, be printed.  
 Debate ensued.  
 Mr. Martin moved, That the Question be amended, by the omission of all the words after the word "That," with a view to the insertion in their place of the words "this House is of opinion that the course pursued by Mr. Speaker in the Correspondence which has been laid upon the Table, is entirely in accordance with the duty of Mr. Speaker, as the guardian of the privileges and the depository of the dignity of the House."  
 (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General, and that in such Address the attention of His Excellency be called to the Resolutions of this House of the 25th of January last, in reference to the Appointment of Officers of this House."  
 Debate continued.  
 Question put,—That the words proposed to be omitted stand part of the Question.  
 The House divided.

Ayes, 11.

Mr. Robertson,  
 Mr. Weekes,  
 Mr. Arnold,  
 Mr. Blake,  
 Mr. Terry,  
 Mr. Pemoll,  
 Mr. Closs,  
 Mr. J. Campbell,  
 Mr. Kemp,  
 Mr. Oakes, } Tellers.  
 Mr. Forster,

Nocs, 26.

Mr. Black, Mr. Broughton,  
 Mr. Hodgson, Mr. Lucas,  
 Mr. Lord, Mr. Dickson,  
 Mr. Piddington, Mr. Asher,  
 Mr. Denchly, Mr. Hoskins,  
 Mr. A. Campbell, Mr. Mort,  
 Mr. Faucett, Mr. Macleay,  
 Mr. Parkes, Mr. Roberts,  
 Rev. Dr. Lang, Mr. Clements,  
 Mr. Martin, Mr. Plunkett,  
 Mr. Farnell, Mr. Samuel,  
 Mr. Laycock, Mr. Hay, } Tellers.  
 Mr. Byrnes, Mr. Windcye,

Question,—That the words proposed to be inserted be so inserted,—put and passed.

Question then,—

(1.) That this House is of opinion that the course pursued by Mr. Speaker in the Correspondence which has been laid upon the Table, is entirely in accordance with the duty of Mr. Speaker, as the guardian of the privileges and the depository of the dignity of the House.

(2.)

(2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General, and that, in such Address, the attention of His Excellency be called to the Resolutions of this House of the 25th of January last, in reference to the Appointment of Officers of this House,—put.  
The House divided.

Ayes, 26.

Mr. Samuel,	Mr. Roberts,
Mr. Piddington,	Mr. Plunkett,
Mr. Lucas,	Mr. Martin,
Mr. Denichy,	Mr. Mort,
Mr. Faucett,	Mr. Clements,
Mr. Parkes,	Mr. Macleay,
Mr. Dickson,	Mr. Black,
Mr. Hoskins,	Rev. Dr. Lang,
Mr. Hay,	Mr. Windeyer,
Mr. Farnell,	Mr. A. Campbell,
Mr. Laycock,	Mr. Lord,
Mr. Byrnes,	Mr. Asher,
Mr. Broughton,	Mr. Hodgson,

} Tellers.

Noes, 10.

Mr. Robertson.
Mr. Weekes,
Mr. Arnold,
Mr. Blake,
Mr. Kemp,
Mr. J. Campbell,
Mr. Close,
Mr. Pencil,
Mr. Forster,
Mr. Oakes,

} Tellers.

3. Customs and Preventive System on the River Murray :—Mr. Hay moved, pursuant to notice,—

(1.) That the establishment of a Custom House and Preventive System along an Inland Frontier Line is especially inconvenient and objectionable as applied to the Colonies of New South Wales and Victoria, the inhabitants of which speak the same language, are engaged in the same occupations, and are Subjects of the same Sovereign.

(2.) That, recognising fully the right of this Colony to obtain the duties on goods consumed within its Territory, this House is of opinion that every other means should be exhausted before the establishment of such Customs and Preventive System—the effect of which would be, for the most part, not to deprive the Government of Victoria of any revenue which it now unduly receives, but to subject the inhabitants of our South-western Districts to the payment of a double duty.

(3.) That the Treasury Notice of 23rd May ought to be revoked, and negotiations prosecuted with the Government of Victoria, for the purpose of establishing an uniformity and equitable division of Customs Duties.

(4.) That a copy of the foregoing Resolutions be forwarded to His Excellency the Governor General.

Mr. Kemp moved, That this Debate be now adjourned until to-morrow, to take precedence after the Government Business.

The House divided.

Ayes, 24.

Mr. Robertson,	Mr. Forster,
Mr. Weekes,	Mr. Piddington,
Mr. Arnold,	Mr. Hay,
Mr. Hart,	Mr. Samuel,
Mr. Gordon,	Mr. Hodgson,
Mr. Byrnes,	Mr. Faucett,
Mr. Farnell,	Mr. Oakes,
Mr. Asher,	Rev. Dr. Lang,
Mr. Pencil,	Mr. J. Campbell,
Mr. Kemp,	Mr. Plunkett,
Mr. Martin,	Mr. Dickson,
Mr. Macleay,	Mr. Clements,

} Tellers.

Noes, 8.

Mr. Terry,
Mr. Parkes,
Mr. Close,
Mr. Windeyer,
Mr. Hoskins,
Mr. Wilson,
Mr. Lucas,
Mr. A. Campbell,

} Tellers.

The House adjourned, on motion of Mr. Robertson, at twenty-five minutes before Twelve 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. Abattoir Road Bill; consideration in Committee of Legislative Council's Amendments.
2. Tolls Amendment Act Repeal Bill; consideration in Committee of Legislative Council's Amendments.

### OTHER BUSINESS—ORDER OF THE DAY :—

1. Resumption of the Adjourned Debate on Mr. Hay's motion;—

"(1.) That the establishment of a Custom House and Preventive System along an Inland Frontier Line is especially inconvenient and objectionable as applied to the Colonies of New South Wales and Victoria, the inhabitants of which speak the same language, are engaged in the same occupations, and are Subjects of the same Sovereign.

"(2.) That, recognising fully the right of this Colony to obtain the duties on goods consumed within its Territory, this House is of opinion that every other means should be exhausted before the establishment of such Customs and Preventive System—the effect of which would be, for the most part, not to deprive the Government of Victoria of any revenue which it now unduly receives, but to subject the inhabitants of our South-western Districts to the payment of a double duty.

"(3.)



"(3.) That the Treasury Notice of 23rd May ought to be revoked, and negotiations prosecuted with the Government of Victoria, for the purpose of establishing an uniformity and equitable division of Customs Duties.

"(4.) That a copy of the foregoing Resolutions be forwarded to His Excellency the Governor General."

NOTICES OF MOTION :—

1. MR. PARKES to move, That the Contract for the execution of Railway Works entered into with Sir Samuel Morton Peto and Co., and their Agents, has been conducted by the Government in a manner highly irregular and unsatisfactory, which must necessarily be productive of injury and loss to the Colony.
2. MR. PARKES to move, That the Railway Department, as at present organised, notwithstanding its magnitude and costliness, is manifestly defective in insuring that personal inspection and superintendence of the works by the principal Engineering Officers, which is necessary for the protection of the public interest.
3. MR. PARKES to move, That the Heads of the Railway Department, acting apparently from personal considerations, in which the public interest has been sacrificed, have thrown unreasonable impediments in the way of the Contractor for the Southern and Western Lines of Extension, which have materially delayed the progress of the works.
4. MR. PARKES to move, That the Evidence before this House has cast so much doubt on the stability of the timber viaducts on the Southern and Western Lines of Railway Extension—more especially those of a greater height than twenty feet—that it is expedient, in order to insure the safety of life and property, that a Board of competent Engineers, unconnected with the Government, should be appointed to examine and report upon the principles of their construction in respect to their strength and durability.
5. MR. PARKES to move, That the letter addressed by the Government to Mr. Rhodes, on the 12th instant, refusing to treat with that gentleman as the Agent of Sir Samuel Morton Peto and Co., is not justified by any evidence before this House.
6. MR. PARKES to move, That the dismissal of Mr. Storey, the late Inspector of Works on the Western Line of Railway Extension, appears to be partly, if not wholly, in consequence of that officer's giving evidence before this House, and, as such, evinces an arbitrary spirit at variance with those principles of justice which ought to regulate every branch of the Public Service.
7. MR. PARKES to move, That the Resolutions adopted this day by this House, in reference to the Railway Works, be communicated by Address to His Excellency the Governor General.
8. MR. LUCAS to move, That the Standing Orders be suspended, so as to give the Orders of the Day precedence of all other Business on Thursdays and Fridays during the present Session.
9. MR. PRUNKETT to move, That leave of absence be granted to Mr. Hurley, the Honorable Member for Narellan, for one fortnight, in consequence of indisposition.
10. MR. LUCAS to move, That the Resolution, reported from the Committee of the whole House, that it is desirable to introduce a Bill to regulate Chinese Immigration, be adopted.
11. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—A Copy of the Government Notice, of May 15, 1860, inviting Tenders for 5,000 gallons China Oil; also Copies of Tenders in reply thereto—and of all Correspondence that may have taken place between any of the Tenderers and the Colonial Treasurer in reference to the same; together with an explanatory statement as to whether the lowest Tender was accepted; and, if it was not, the reasons why it was not so accepted.
12. MR. CLEMENTS to move, That leave of absence be granted for a fortnight to Mr. Hamilton, Member for Monaro, in consequence of ill-health.
13. DR. LANG to move, That, in the opinion of this House, it is expedient and necessary that a separate and distinct Department should be created in the Executive of this Colony, under the designation of the Ministry of Public Instruction or Education; that the Head of such Department should be a Cabinet Minister; and that all Educational and Charitable Institutions, throughout the Colony, receiving support or aid from the Public Treasury, should be under his superintendence and control.
14. MR. MACLEAY to move, That the Petition presented by him on the 19th June, from certain Inhabitants of Wagga Wagga, relative to the want of a Bridge at that place, be printed.
15. MR. MACLEAY to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1860, a sum not exceeding £700, for the erection of a Bridge over the Wollandry Lagoon at Wagga Wagga.
16. MR. DENIEHY to move, That by reason of the invalidity of the proceedings at the recent Election for the Tumut, purporting to result in the return of Daniel Henry Deniehy, Esquire, for the Electoral District of Tumut aforesaid, the Seat therefor, vacated by George Dunmore Lang, Esquire, still remains vacant.
17. MR. LUCAS to move, That the Resolution, reported from the Committee of the whole House, that it is desirable to introduce a Bill to regulate Chinese Immigration, be adopted.

18. **MR. TERRY** to move,—  
 (1.) That in the opinion of this House, it is detrimental to the public interest for a Government Officer—Crown Law Officers excepted—to undertake, either directly or indirectly, private employment from individuals or companies; and any such Officer so undertaking private employment ought to be dismissed the service.  
 (2.) That the above Resolution be embodied in an Address to the Governor General, praying that His Excellency will bring it under the notice of the Executive Council.
19. **MR. WILSON** to move, That the Report of the Select Committee on the Church and School Lands, laid upon the Table of this House on the 24th April, be now adopted.
20. **MR. DENIEHY** to move, That the Report of the Committee of Inquiry into the University of Sydney, brought up and laid upon the Table of the House, be adopted.
21. **MR. FORSTER** to move, That it is the opinion of this House,—  
 (1.) That the distribution of the Funds reserved for Public Worship under Schedule C of the Constitution Act was intended to take effect in accordance with the Act of Council, 7 William 4th, No. 3, commonly known as Sir Richard Bourke's Act.  
 (2.) That, therefore, the payment of stipends to dignitaries of any Church, as such, in excess of the stipends authorised by the Act last specified above, ought to be discontinued.
22. **MR. MARTIN** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—  
 (1.) A copy of the Judge's Notes taken at the recent trial of the two soldiers for the murder of the late Inspector M'Gee.  
 (2.) A copy of the Information filed by the Attorney General in the case.  
 (3.) A statement of the Judge's charge to the Jury, and the verdict and sentence.
23. **MR. KEMP** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, and other papers having reference to the case of Mr. N. L. Kentish.
24. **DR. LANG** to move, That there be laid upon the Table of this House, on the first day of the next Session of Parliament, a Tabulated Nominal Return of all the Properties now held by Trustees or other Persons for the use of Denominational Schools, that is to say :—the quantity of land in each locality, and whether granted by Government or private persons; the description of buildings erected thereon, whether schools or teachers' residences, or both, and the present condition thereof, as regards their adequacy or otherwise, for school purposes; the date of the erection of such buildings; if rented, of whom, and the annual amount of such rent; if any improvements, the total cost of such erections and improvements in each place—distinguishing, in each case, the amount contributed from the public funds from that raised by private subscription; whether such contributions were made in cash or in other and what equivalent; the amount pledged for school buildings yet unpaid; the several and the entire estimated value of the properties at the present time vested in Trustees or otherwise, on account of Denominational Education; the names, in each case, of such Trustees, or of the owners of land or buildings used for each Denominational School.

#### ORDERS OF THE DAY :—

1. District Courts Act Amendment Bill; second reading.
2. Town Hall Site Exchange Bill; to be further considered in Committee.
3. Penrith Nepean Bridge Re-construction Bill; second reading.
4. Resumption of the Adjourned Debate on Mr. Darvall's motion,—  
 " (1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risk of trade, and gives undue encouragement to speculation and the extension of credit.  
 " (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General."
5. Enforcement of Claims against the Crown Bill; second reading.
6. Consideration in Committee of Address for compensation to Mrs. Frances De Courroy.
7. Affiliated Colleges Act Amendment Bill; second reading.
8. Necropolis Act Extension Bill; to be further considered in Committee.
9. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
10. Public Lands Bill; second reading.
11. Land Tax Bill; second reading.
12. Capital Punishments Abolition Bill; second reading.
13. Law of Primogeniture Abolition Bill; second reading.
14. Inquests concerning Fires Bill; second reading.
15. Sydney Council Debentures Bill; to be further considered in Committee.
16. Supreme Court Verdicts and Judgments Bill; second reading.
17. Commissioner at Newcastle Appointment Bill; second reading.
18. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
19. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
20. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
21. New Trials Bill; second reading.

Questions :—

## Questions :—

1. **MR. FORSTER to ask THE SECRETARY FOR PUBLIC WORKS,—**  
 (1.) Has the entire sum of £895, voted upon the Estimates in Chief for this year, for maintenance of a Police Force in the District of Queanbeyan, been appropriated, or is it intended to appropriate the same, for the service in question, exclusive of the sum of £1,032 15s., voted upon the Additional Estimates for this year for additional Police Force in the same District, in consequence of the discovery of the Kiandra Gold Fields?  
 (2.) What arrangements, if any, have been made for the additional appropriation in question, and for the erection of Court Houses and Station Houses at Queanbeyan, Bungendore, and Micalago, respectively?  
 (3.) How many Ordinary Constables is it intended permanently to station at Queanbeyan, Micalago, and Bungendore respectively, inclusive of Lock-up Keepers?
2. **MR. FORSTER to ask THE SECRETARY FOR LANDS,—**  
 (1.) With reference to the recent division of the former Municipality of Redfern into two distinct Municipalities, one bearing the name of Waterloo, what arrangements have been made for the liquidation of the debt contracted by the Municipality of Redfern as it formerly existed?  
 (2.) Have such arrangements, if any, been made with the sanction or cognizance of the Government—and what is their nature?
3. **MR. ROBERTS to ask THE SECRETARY FOR LANDS,—**  
 (1.) Have the Government taken any steps or made any arrangements for the establishment or holding of a District Court—also a Court of Petty Sessions, at Kiandra; if not, is it their intention to do so?  
 (2.) Are any, and what arrangements contemplated, for the daily or more frequent postal communication with the neighbouring Townships and surrounding Districts?  
 (3.) What progress has been made in the survey of lands at or near Kiandra, with a view to their early sale or occupation?
4. **MR. LAYCOCK to ask THE SECRETARY FOR LANDS,—**Whether the Government intend taking immediate steps for the establishment of a General Cemetery, the necessity for which is becoming every day more obvious; if so, are they prepared to state to the House the intended site of such General Cemetery?
5. **MR. HOSKINS to ask THE SECRETARY FOR LANDS,—**  
 (1.) Whether it is the intention of the Government to proclaim any portion of the land at Yates' Flat, Clarence River, a Government Reserve?  
 (2.) Whether the Government have any objection to state the extent of such Reserve?
6. **MR. HODGSON to ask THE COLONIAL TREASURER,—**Whether it is in the contemplation of the Government to remove the Tonnage Dues which at present exist in the Port of Newcastle?
7. **MR. HODGSON to ask THE HONORABLE THE PREMIER,—**When it will be convenient to the Government to lay upon the Table of this House, the Correspondence moved for and ordered on the 3rd April last, in reference to Public Moneys received from Queensland?
8. **MR. ROBERTS to ask THE SECRETARY FOR PUBLIC WORKS,—**Whether it is the intention of the Government, at once to take steps for replacing the Bridge over Thorn's Creek, in the County of Argyle, carried away by the floods in January last?
9. **MR. ROBERTS to ask THE SECRETARY FOR PUBLIC WORKS,—**  
 (1.) Whether Tenders have been accepted by the Government for the repair of the Great Southern Road in the neighbourhood of the Hanging Rock?  
 (2.) If the Government have received any official report, or are otherwise aware that the road at the locality mentioned is in so bad a condition as almost altogether to impede transit?

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THURSDAY, JUNE 28.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. **MR. KEMP to move,** That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, and all other papers having reference to the case of Mr. N. L. Kentish.
2. **MR. TERRY to move,—**  
 (1.) That in the opinion of this House, it is detrimental to the public interest for a Government Officer—Crown Law Officers excepted—to undertake, either directly or indirectly, private employment from individuals or companies; and any such Officer so undertaking private employment ought to be dismissed the service.  
 (2.) That the above Resolution be embodied in an Address to the Governor General, praying that His Excellency will bring it under the notice of the Executive Council.

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FRIDAY,

FRIDAY, JUNE 29.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. ASHER to move,—

(1.) That in consequence of the great influx of population which must necessarily arise in consequence of the discovery of the Kiandra Gold Fields, that any delay in carrying out the three proposed Lines of Railway, more particularly the Great Southern Line, will be prejudicial to the interests and progress of this Colony.

(2.) That it is the opinion of this House that plans should be at once prepared, and tenders called for, for the construction of the Great Southern Line of Railway to Goulburn, Yass, Gundagai, and Albury; also, for the extension of the Northern and Western Lines.

(3.) That unless some immediate steps are taken for the construction of the Lines of Railway above referred to, a great portion of the trade which legitimately belongs to New South Wales, will be enjoyed by the neighbouring Colonies, to the serious injury of this Colony.

(4.) That a copy of the foregoing Resolutions be forwarded to His Excellency the Governor General.

Question :—

1. MR. ASHER to ask THE SECRETARY FOR LANDS,—

(1.) Are the Government aware that a good dray road can be formed between the Tumut and Kiandra, avoiding that almost impassable precipice known as Lobb's Hole?

(2.) Do the Government intend having that part of the country examined by competent persons, with a view to forming a good dray road?

(3.) Do the Government intend to ascertain, from competent officers, the condition of the road between Albury and Kiandra?

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TUESDAY, JULY 3.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. WILSON to move, That the Report of the Select Committee on the Church and School Lands, laid upon the Table of this House on the 24th April, be now adopted.

T. A. MURRAY,  
*Speaker.*

No. 119.

## VOTES AND PROCEEDINGS

OF THE

# LEGISLATIVE ASSEMBLY.

WEDNESDAY, 27 JUNE, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Death of Nicolas Hyeronimus, Esquire:—Mr. Robertson moved, That in consequence of the melancholy intelligence just received of the Death of Nicolas Hyeronimus, Esquire, Member for Wellington, this House do now adjourn until to-morrow, at Three o'clock.  
 Motion by leave withdrawn.
2. Postponements:—
  - (1.) Mr. Parkes postponed the motion standing in his name, No. 1 on the Notice Paper for to-day, until Friday next.
  - (2.) Mr. Parkes postponed the motion standing in his name, No. 2 on the Notice Paper for to-day, until Friday next.
  - (3.) Mr. Parkes postponed the motion standing in his name, No. 3 on the Notice Paper for to-day, until Friday next.
  - (4.) Mr. Parkes postponed the motion standing in his name, No. 4 on the Notice Paper for to-day, until Friday next.
  - (5.) Mr. Parkes postponed the motion standing in his name, No. 5 on the Notice Paper for to-day, until Friday next.
  - (6.) Mr. Parkes postponed the motion standing in his name, No. 6 on the Notice Paper for to-day, until Friday next.
  - (7.) Mr. Parkes postponed the motion standing in his name, No. 7 on the Notice Paper for to-day, until Friday next.
  - (8.) Mr. Parkes postponed the motion standing in his name, No. 11 on the Notice Paper for to-day, until Friday next.
  - (9.) Mr. Macleay postponed the motion standing in his name, No. 14 on the Notice Paper for to-day, until to-morrow.
  - (10.) Mr. Macleay postponed the motion standing in his name, No. 15 on the Notice Paper for to-day, until to-morrow.
3. Death of Nicolas Hyeronimus, Esquire:—Mr. Robertson moved, That in respect to the memory of the late Nicolas Hyeronimus, Esquire, this House do now adjourn until to-morrow, at Three o'clock; and that the Order of the Day for the resumption of the Debate on Mr. Hay's motion,—
  - "(1.) That the establishment of a Custom House and Preventive System along an Inland Frontier Line is especially inconvenient and objectionable as applied to the Colonies of New South Wales and Victoria, the inhabitants of which speak the same language, are engaged in the same occupations, and are Subjects of the same Sovereign.
  - "(2.) That, recognising fully the right of this Colony to obtain the duties on goods consumed within its Territory, this House is of opinion that every other means should be exhausted before the establishment of such Customs and Preventive System—the effect of which would be, for the most part, not to deprive the Government of Victoria of any revenue which it now unduly receives, but to subject the inhabitants of our South-western Districts to the payment of a double duty.
  - "(3.) That the Treasury Notice of 23rd May ought to be revoked, and negotiations prosecuted with the Government of Victoria, for the purpose of establishing an uniformity and equitable division of Customs Duties.
  - "(4.) That a copy of the foregoing Resolutions be forwarded to His Excellency the Governor General";—
 take precedence next after the Government Business.  
 Question put and passed.  
 The House adjourned accordingly, at twenty minutes before Four o'clock, until to-morrow, at Three o'clock.

NOTICES

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JUNE 28.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Abattoir Road Bill ; consideration in Committee of Legislative Council's Amendments.
2. Tolls Amendment Act Repeal Bill ; consideration in Committee of Legislative Council's Amendments.

## OTHER BUSINESS—ORDER OF THE DAY :—

1. Resumption of the Adjourned Debate on Mr. Hay's motion,—
  - " (1.) That the establishment of a Custom House and Preventive System along an Inland Frontier Line is especially inconvenient and objectionable as applied to the Colonies of New South Wales and Victoria, the inhabitants of which speak the same language, are engaged in the same occupations, and are Subjects of the same Sovereign.
  - " (2.) That, recognising fully the right of this Colony to obtain the duties on goods consumed within its Territory, this House is of opinion that every other means should be exhausted before the establishment of such Customs and Preventive System—the effect of which would be, for the most part, not to deprive the Government of Victoria of any revenue which it now unduly receives, but to subject the inhabitants of our South-western Districts to the payment of a double duty.
  - " (3.) That the Treasury Notice of 23rd May ought to be revoked, and negotiations prosecuted with the Government of Victoria, for the purpose of establishing an uniformity and equitable division of Customs Duties.
  - " (4.) That a copy of the foregoing Resolutions be forwarded to His Excellency the Governor-General."

## NOTICES OF MOTION :—

1. MR. KEMP to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, and all other papers having reference to the case of Mr. N. L. Kentish.
2. MR. TERRY to move,—
  - (1.) That in the opinion of this House, it is detrimental to the public interest for a Government Officer—Crown Law Officers excepted—to undertake, either directly or indirectly, private employment from individuals or companies ; and any such Officer so undertaking private employment ought to be dismissed the service.
  - (2.) That the above Resolution be embodied in an Address to the Governor General, praying that His Excellency will bring it under the notice of the Executive Council.
3. MR. MACLEAY to move, That the Petition presented by him on the 19th June, from certain Inhabitants of Wagga Wagga, relative to the want of a Bridge at that place, be printed.
4. MR. MACLEAY to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1860, a sum not exceeding £700, for the erection of a Bridge over the Wollandry Lagoon at Wagga Wagga.
5. MR. LUCAS to move, That the Standing Orders be suspended, so as to give the Orders of the Day precedence of all other Business on Thursdays and Fridays during the present Session.
6. MR. PLUNKETT to move, That leave of absence be granted to Mr. Hurley, the Honorable Member for Narellan, for one fortnight, in consequence of indisposition.
7. MR. LUCAS to move, That the Resolution, reported from the Committee of the whole House, that it is desirable to introduce a Bill to regulate Chinese Immigration, be adopted.
8. MR. CLEMENTS to move, That leave of absence be granted for a fortnight to Mr. Hamilton, Member for Monaro, in consequence of ill-health.
9. DR. LANG to move, That, in the opinion of this House, it is expedient and necessary that a separate and distinct Department should be created in the Executive of this Colony, under the designation of the Ministry of Public Instruction or Education ; that the Head of such Department should be a Cabinet Minister ; and that all Educational and Charitable Institutions, throughout the Colony, receiving support or aid from the Public Treasury, should be under his superintendence and control.
10. MR. DENIEHY to move, That by reason of the invalidity of the proceedings at the recent Election for the Tumut, purporting to result in the return of Daniel Henry Doniehy, Esquire, for the Electoral District of Tumut aforesaid, the Seat therefor, vacated by George Dunmore Lang, Esquire, still remains vacant.
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 (1.) That in the opinion of this House, it is detrimental to the public interest for a Government Officer—Crown Law Officers excepted—to undertake, either directly or indirectly, private employment from individuals or companies; and any such Officer so undertaking private employment ought to be dismissed the service.  
 (2.) That the above Resolution be embodied in an Address to the Governor-General, praying that His Excellency will bring it under the notice of the Executive Council.
13. Mr. WILSON to move, That the Report of the Select Committee on the Church and School Lands, laid upon the Table of this House on the 24th April, be now adopted.
14. Mr. DENIEHY to move, That the Report of the Committee of Inquiry into the University of Sydney, brought up and laid upon the Table of the House, be adopted.
15. Mr. FORSTER to move, That it is the opinion of this House,—  
 (1.) That the distribution of the Funds reserved for Public Worship under Schedule C of the Constitution Act was intended to take effect in accordance with the Act of Council, 7 William 4th, No. 3, commonly known as Sir Richard Bourke's Act.  
 (2.) That, therefore, the payment of stipends to dignitaries of any Church, as such, in excess of the stipends authorised by the Act last specified above, ought to be discontinued.
16. Mr. MARTIN to move, That an Address be presented to the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—  
 (1.) A copy of the Judge's Notes taken at the recent trial of the two soldiers for the murder of the late Inspector McGee.  
 (2.) A copy of the Information filed by the Attorney General in the case.  
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18. Dr. LANG to move, That there be laid upon the Table of this House, on the first day of the next Session of Parliament, a Tabulated Nominal Return of all the Properties now held by Trustees or other Persons for the use of Denominational Schools, that is to say:—the quantity of land in each locality, and whether granted by Government or private persons; the description of buildings erected thereon, whether schools or teachers' residences, or both, and the present condition thereof, as regards their adequacy or otherwise, for school purposes; the date of the erection of such buildings; if rented, of whom, and the annual amount of such rent; if any improvements, the total cost of such erections and improvements in each place—distinguishing, in each case, the amount contributed from the public funds from that raised by private subscription; whether such contributions were made in cash or in other and what equivalent; the amount pledged for school buildings yet unpaid; the several and the entire estimated value of the properties at the present time vested in Trustees or otherwise, on account of Denominational Education; the names, in each case, of such Trustees, or of the owners of land or buildings used for each Denominational School.

#### ORDERS OF THE DAY:—

1. District Courts Act Amendment Bill; second reading.
2. Town Hall Site Exchange Bill; to be further considered in Committee.
3. Penrith Nepean Bridge Re-construction Bill; second reading.
4. Resumption of the Adjourned Debate on Mr. Darvall's motion,—  
 " (1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risk of trade, and gives undue encouragement to speculation and the extension of credit.  
 " (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor-General."
5. Enforcement of Claims against the Crown Bill; second reading.
6. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
7. Affiliated Colleges Act Amendment Bill; second reading.
8. Necropolis Act Extension Bill; to be further considered in Committee.
9. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
10. Public Lands Bill; second reading.
11. Land Tax Bill; second reading.
12. Capital Punishments Abolition Bill; second reading.
13. Law of Primogeniture Abolition Bill; second reading.
14. Inquests concerning Fires Bill; second reading.
15. Sydney Council Debentures Bill; to be further considered in Committee.
16. Supreme Court Verdicts and Judgments Bill; second reading.
17. Commissioner at Newcastle Appointment Bill; second reading.
18. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
19. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
20. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
21. New Trials Bill; second reading.

Questions:—

**Questions :—**

1. **MR. FORSTER to ask THE SECRETARY FOR PUBLIC WORKS,—**
  - (1.) Has the entire sum of £895, voted upon the Estimates in Chief for this year, for maintenance of a Police Force in the District of Qucanbeyan been appropriated, or is it intended to appropriate the same, for the service in question, exclusive of the sum of £1,082 15s., voted upon the Additional Estimates for this year for additional Police Force in the same District, in consequence of the discovery of the Kiandra Gold Fields?
  - (2.) What arrangements, if any, have been made for the additional appropriation in question, and for the erection of Court Houses and Station Houses at Qucanbeyan, Bungendore, and Micalago, respectively?
  - (3.) How many Ordinary Constables is it intended permanently to station at Qucanbeyan, Micalago, and Bungendore respectively, inclusive of Lock-up Keepers?
2. **MR. FORSTER to ask THE SECRETARY FOR LANDS,—**
  - (1.) With reference to the recent division of the former Municipality of Redfern into two distinct Municipalities, one bearing the name of Waterloo, what arrangements have been made for the liquidation of the debt contracted by the Municipality of Redfern as it formerly existed?
  - (2.) Have such arrangements, if any, been made with the sanction or cognizance of the Government—and what is their nature?
3. **MR. ROBERTS to ask THE SECRETARY FOR LANDS,—**
  - (1.) Have the Government taken any steps or made any arrangements for the establishment or holding of a District Court, also a Court of Petty Sessions, at Kiandra; if not, is it their intention to do so?
  - (2.) Are any, and what arrangements contemplated, for the daily or more frequent postal communication with the neighbouring Townships and surrounding Districts?
  - (3.) What progress has been made in the survey of lands at or near Kiandra, with a view to their early sale or occupation?
4. **MR. LAYCOCK to ask THE SECRETARY FOR LANDS,—**Whether the Government intend taking immediate steps for the establishment of a General Cemetery, the necessity for which is becoming every day more obvious; if so, are they prepared to state to the House the intended site of such General Cemetery?
5. **MR. HOSKINS to ask THE SECRETARY FOR LANDS,—**
  - (1.) Whether it is the intention of the Government to proclaim any portion of the land at Yates' Flat, Clarence River, a Government Reserve?
  - (2.) Whether the Government have any objection to state the extent of such Reserve?
6. **MR. HODGSON to ask THE COLONIAL TREASURER,—**Whether it is in the contemplation of the Government to remove the Tonnage Dues which at present exist in the Port of Newcastle?
7. **MR. HODGSON to ask THE HONORABLE THE PREMIER,—**When it will be convenient to the Government to lay upon the Table of this House the Correspondence moved for and ordered on the 3rd April last, in reference to Public Moneys received from Quoonaland?
8. **MR. ROBERTS to ask THE SECRETARY FOR PUBLIC WORKS,—**Whether it is the intention of the Government at once to take steps for replacing the Bridge over Thorn's Creek, in the County of Argyle, carried away by the floods in January last?
9. **MR. ROBERTS to ask THE SECRETARY FOR PUBLIC WORKS,—**
  - (1.) Whether Tenders have been accepted by the Government for the repair of the Great Southern Road in the neighbourhood of the Hanging Rock?
  - (2.) If the Government have received any official report, or are otherwise aware that the road at the locality mentioned is in so bad a condition as almost altogether to impede transit?

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FRIDAY, JUNE 29.

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. **MR. ASHER to move,—**
  - (1.) That in consequence of the great influx of population which must necessarily arise in consequence of the discovery of the Kiandra Gold Fields, that any delay in carrying out the three proposed Lines of Railway, more particularly the Great Southern Line, will be prejudicial to the interests and progress of this Colony.
  - (2.) That it is the opinion of this House that plans should be at once prepared, and tenders called for, for the construction of the Great Southern Line of Railway to Goulburn, Yass, Gundagai, and Albury; also, for the extension of the Northern and Western Lines.
  - (3.) That unless some immediate steps are taken for the construction of the Lines of Railway above referred to, a great portion of the trade which legitimately belongs to New South Wales will be enjoyed by the neighbouring Colonies, to the serious injury of this Colony.
  - (4.) That a copy of the foregoing Resolutions be forwarded to His Excellency the Governor General.
2. **MR. PARKES to move,** That the Contract for the execution of Railway Works entered into with Sir Samuel Morton Peto and Co., and their Agents, has been conducted by the Government in a manner highly irregular and unsatisfactory, which must necessarily be productive of injury and loss to the Colony.



3. MR. PARKES to move, That the Railway Department as at present organized, notwithstanding its magnitude and costliness, is manifestly defective in insuring that personal inspection and superintendence of the works by the principal Engineering Officers which is necessary for the protection of the public interest.
4. MR. PARKES to move, That the Heads of the Railway Department, acting apparently from personal considerations, in which the public interest has been sacrificed, have thrown unreasonable impediments in the way of the Contractor for the Southern and Western Lines of Extension, which have materially delayed the progress of the works.
5. MR. PARKES to move, That the Evidence before this House has cast so much doubt on the stability of the timber viaducts on the Southern and Western Lines of Railway Extension—more especially those of a greater height than twenty feet—that it is expedient, in order to insure the safety of life and property, that a Board of competent Engineers, unconnected with the Government, should be appointed to examine and report upon the principles of their construction in respect to their strength and durability.
6. MR. PARKES to move, That the letter addressed by the Government to Mr. Rhodes, on the 12th instant, refusing to treat with that gentleman as the Agent of Sir Samuel Morton Peto and Co., is not justified by any evidence before this House.
7. MR. PARKES to move, That the dismissal of Mr. Storey, the late Inspector of Works on the Western Line of Railway Extension, appears to be partly, if not wholly, in consequence of that officer's giving evidence before this House, and, as such, evinces an arbitrary spirit at variance with those principles of justice which ought to regulate every branch of the Public Service.
8. MR. PARKES to move, That the Resolutions adopted this day by this House, in reference to the Railway Works, be communicated by Address to His Excellency the Governor General.
9. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—A Copy of the Government Notice of May 15, 1860, inviting Tenders for 5,000 gallons China Oil; also Copies of Tenders in reply thereto—and of all Correspondence that may have taken place between any of the Tenderers and the Colonial Treasurer in reference to the same; together with an explanatory statement as to whether the lowest Tender was accepted; and, if it was not, the reasons why it was not so accepted.

*Question :—*

1. MR. ASHER to ask THE SECRETARY FOR LANDS,—
  - (1.) Are the Government aware that a good dray road can be formed between the Tumut and Kiandra, avoiding that almost impassable precipice known as Lobb's Hole?
  - (2.) Do the Government intend having that part of the country examined by competent persons, with a view to forming a good dray road?
  - (3.) Do the Government intend to ascertain, from competent officers, the condition of the road between Albury and Kiandra?

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TUESDAY, JULY 3.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. WILSON to move, That the Report of the Select Committee on the Church and School Lands, laid upon the Table of this House on the 24th April, be now adopted.

T. A. MURRAY,  
*Speaker.*



No. 120.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

THURSDAY, 28 JUNE, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
**Abattoir Road Bill** :—On motion of Mr. Arnold, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the consideration of the Amendments made in this Bill by the Legislative Council.  
 The Chairman having reported, That the Committee had agreed to the Amendments made in this Bill by the Legislative Council,—  
 Mr. Arnold moved, That this House do now adopt the Amendments so agreed to.  
 Debate ensued.  
 Question put and passed.  
 Whereupon, Mr. Arnold moved, That the following Message be carried to the Legislative Council :—  
**MR. PRESIDENT,**  
 The Legislative Assembly has this day agreed to the Amendments made by the Legislative Council in the Bill, intituled "*An Act to facilitate the communication between the Abattoirs and Sydney.*"  
*Legislative Assembly Chamber,*  
*Sydney, 28th June, 1860.*Speaker.  
 Question put and passed.
2. **Tolls Amendment Act Repeal Bill** :—Mr. Robertson moved, That the Order of the Day for the consideration in Committee of the Legislative Council's Amendments in this Bill be discharged from the Paper.  
 Question put.  
 The House divided.  

Ayes, 16.	Noes, 13.																																
<table style="border: none;"> <tr><td>Mr. Robertson,</td><td>Mr. Farnell,</td></tr> <tr><td>Mr. Arnold,</td><td>Mr. Pemell,</td></tr> <tr><td>Mr. Weekes,</td><td>Mr. Atkinson,</td></tr> <tr><td>Mr. Asber,</td><td>Rev. Dr. Lang,</td></tr> <tr><td>Mr. Laycock,</td><td>Mr. J. Campbell,</td></tr> <tr><td>Mr. Dickson,</td><td>Mr. Hoskins,</td></tr> <tr><td>Mr. Gordon,</td><td>Mr. Oakes,</td></tr> <tr><td>Mr. Parkes,</td><td>Mr. Windeyer,</td></tr> </table>	Mr. Robertson,	Mr. Farnell,	Mr. Arnold,	Mr. Pemell,	Mr. Weekes,	Mr. Atkinson,	Mr. Asber,	Rev. Dr. Lang,	Mr. Laycock,	Mr. J. Campbell,	Mr. Dickson,	Mr. Hoskins,	Mr. Gordon,	Mr. Oakes,	Mr. Parkes,	Mr. Windeyer,	<table style="border: none;"> <tr><td>Mr. Deniehy,</td><td>Mr. Samuel,</td></tr> <tr><td>Mr. Piddington,</td><td>Mr. Plunkett,</td></tr> <tr><td>Mr. Flay,</td><td>Mr. Macleay,</td></tr> <tr><td>Mr. Black,</td><td>Mr. Lucas,</td></tr> <tr><td>Mr. Terry,</td><td>Mr. Mort,</td></tr> <tr><td>Mr. Forster,</td><td></td></tr> <tr><td>Mr. Kemp,</td><td></td></tr> <tr><td>Mr. Lord,</td><td></td></tr> </table>	Mr. Deniehy,	Mr. Samuel,	Mr. Piddington,	Mr. Plunkett,	Mr. Flay,	Mr. Macleay,	Mr. Black,	Mr. Lucas,	Mr. Terry,	Mr. Mort,	Mr. Forster,		Mr. Kemp,		Mr. Lord,	
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3. **Paper** :—Mr. Robertson laid upon the Table, By-Law of St. John's College, for regulating the absence of Members of the Council thereof.  
 Ordered to be printed.
4. **Customs and Preventive System on the River Murray** :—The Adjourned Debate on Mr. Hay's motion,—  
 " (1.) That the establishment of a Custom House and Preventive System along an Inland Frontier Line is especially inconvenient and objectionable as applied to the Colonies of New South Wales and Victoria, the inhabitants of which speak the same language, are engaged in the same occupations, and are Subjects of the same Sovereign.  
 " (2.) "That," recognising fully the right of this Colony to obtain the duties on goods consumed within its Territory, this House is of opinion that every other means should be exhausted before the establishment of such Customs and Preventive System—the effect of which would be, for the most part, not to deprive the Government of Victoria of any revenue which it now unduly receives, but to subject the inhabitants of our South-western Districts to the payment of a double duty.  
 " (3.) That the Treasury Notice of 23rd May ought to be revoked, and negotiations prosecuted with the Government of Victoria, for the purpose of establishing an uniformity and equitable division of Customs Duties.  
 " (4.) That a copy of the foregoing Resolutions be forwarded to His Excellency the Governor General,"—resumed.

Dr.

Dr. Lang moved, That the Question be amended, by the omission of all the words following the word "That" at the commencement of section (2) down to the end of section (3), with a view to the insertion in their place of the following words:—  
*"while recognizing fully the right of this Colony to obtain the duties on goods consumed within its Territory, this House is of opinion that no step should be taken for collection of duties on goods coming into this Colony across the Murray from Victoria, until every effort has been made to secure the agreement of Victoria in an equitable division of Custom Duties."*

Debate continued.

Question,—That the words proposed to be omitted stand part of the Question,—put and passed.

Whereupon Original Question put.

The House divided.

Ayes, 11.

Mr. Black,  
 Mr. Clements,  
 Mr. Faucett,  
 Mr. Asher,  
 Mr. Parkes,  
 Mr. Plunkett,  
 Mr. Forster,  
 Mr. Roberts,  
 Mr. Macleay,  
 Mr. A. Campbell, } Tellers.  
 Mr. Hay,

Noes, 23.

\*Mr. Arnold, Mr. Pemell,  
 Mr. Weekes, Mr. Hoskins,  
 Mr. Lucas, Mr. Scott,  
 Mr. Kemp, Mr. Egan,  
 Mr. Dickson, Mr. Atkinson,  
 \*Mr. Arnold, Mr. Byrnes,  
 Mr. Lord, Mr. Samuel,  
 Mr. Terry, Mr. J. Campbell,  
 Mr. Piddington, Rev. Dr. Lang,  
 Mr. Oakes, Mr. Gordon, } Tellers.  
 Mr. Wilson, Mr. McArthur,  
 Mr. Laycock,

\* So in Tellers' List.

The House adjourned, on motion of Mr. Weekes, at a quarter before Twelve o'clock, until to-morrow, at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JUNE 29.

### OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. ASHER to move,—  
 (1.) That in consequence of the great influx of population which must necessarily arise in consequence of the discovery of the Kiandra Gold Fields, that any delay in carrying out the three proposed Lines of Railway, more particularly the Great Southern Line, will be prejudicial to the interests and progress of this Colony.  
 (2.) That it is the opinion of this House that plans should be at once prepared, and tenders called for, for the construction of the Great Southern Line of Railway to Goulburn, Yass, Gundagai, and Albury; also, for the extension of the Northern and Western Lines.  
 (3.) That unless some immediate steps are taken for the construction of the Lines of Railway above referred to, a great portion of the trade which legitimately belongs to New South Wales will be enjoyed by the neighbouring Colonies, to the serious injury of this Colony.  
 (4.) That a copy of the foregoing Resolutions be forwarded to His Excellency the Governor General.
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3. MR. PARKES to move, That the Railway Department as at present organized, notwithstanding its magnitude and costliness, is manifestly defective in insuring that personal inspection and superintendence of the works by the principal Engineering Officers which is necessary for the protection of the public interest.
4. MR. PARKES to move, That the Heads of the Railway Department, acting apparently from personal considerations, in which the public interest has been sacrificed, have thrown unreasonable impediments in the way of the Contractor for the Southern and Western Lines of Extension, which have materially delayed the progress of the works.
5. MR. PARKES to move, That the Evidence before this House has cast so much doubt on the stability of the timber viaducts on the Southern and Western Lines of Railway Extension—more especially those of a greater height than twenty feet—that it is expedient, in order to insure the safety of life and property, that a Board of competent Engineers, unconnected with the Government, should be appointed to examine and report upon the principles of their construction in respect to their strength and durability.
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7. MR. PARKES to move, That the dismissal of Mr. Storey, the late Inspector of Works on the Western Line of Railway Extension, appears to be partly, if not wholly, in consequence of that officer's giving evidence before this House, and, as such, evinces an arbitrary spirit at variance with those principles of justice which ought to regulate every branch of the Public Service.
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10. MR. PARKES to move, That there be laid upon the Table of this House, a Return, shewing the number of persons employed in locally superintending the construction of, and in examining materials for, the several Lines of Railway under contract since September, 1858; their names and official designation—their appointed duties—fixed pay and allowances (if any) in each case—and the dates of their official and Gazetted appointments; and of any dismissals that may have taken place, with the grounds of such dismissal; also, shewing the lines and the length of each contract upon which such persons have been employed.
11. MR. KEMP to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, and all other papers having reference to the case of Mr. N. L. Kentish.
12. MR. TERRY to move,—
  - (1.) That in the opinion of this House, it is detrimental to the public interest for a Government Officer—Crown Law Officers excepted—to undertake, either directly or indirectly, private employment from individuals or companies; and any such Officer so undertaking private employment ought to be dismissed the service.
  - (2.) That the above Resolution be embodied in an Address to the Governor General, praying that His Excellency will bring it under the notice of the Executive Council.
13. MR. MACLEAY to move, That the Petition presented by him on the 19th June, from certain Inhabitants of Wagga Wagga, relative to the want of a Bridge at that place, be printed.
14. MR. MACLEAY to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1860, a sum not exceeding £700, for the erection of a Bridge over the Wollandry Lagoon at Wagga Wagga.
15. MR. LUCAS to move, That the Standing Orders be suspended, so as to give the Orders of the Day precedence of all other Business on Thursdays and Fridays during the present Session.
16. MR. PLUNKETT to move, That leave of absence be granted to Mr. Hurley, the Honorable Member for Narellan, for one fortnight, in consequence of indisposition.
17. MR. LUCAS to move, That the Resolution, reported from the Committee of the whole House, that it is desirable to introduce a Bill to regulate Chinese Immigration, be adopted.
18. MR. CLEMENTS to move, That leave of absence be granted for a fortnight to Mr. Hamilton, Member for Monaro, in consequence of ill-health.
19. DR. LANG to move, That, in the opinion of this House, it is expedient and necessary that a separate and distinct Department should be created in the Executive of this Colony, under the designation of the Ministry of Public Instruction or Education; that the Head of such Department should be a Cabinet Minister; and that all Educational and Charitable Institutions, throughout the Colony, receiving support or aid from the Public Treasury, should be under his superintendence and control.
20. MR. DENIEHY to move, That by reason of the invalidity of the proceedings at the recent Election for the Tumut, purporting to result in the return of Daniel Henry Deniehy, Esquire, for the Electoral District of Tumut aforesaid, the Seat therefor, vacated by George Dunmore Lang, Esquire, still remains vacant.
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24. MR. DENIEHY to move, That the Report of the Committee of Inquiry into the University of Sydney, brought up and laid upon the Table of the House, be adopted.

25. **MR. FORSTER** to move, That it is the opinion of this House,—  
 (1.) That the distribution of the Funds reserved for Public Worship under Schedule C of the Constitution Act was intended to take effect in accordance with the Act of Council, 7 William 4th, No. 3, commonly known as Sir Richard Bourke's Act.  
 (2.) That, therefore, the payment of stipends to dignitaries of any Church, as such, in excess of the stipends authorised by the Act last specified above, ought to be discontinued.
26. **MR. MARTIN** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—  
 (1.) A copy of the Judge's Notes taken at the recent trial of the two soldiers for the murder of the late Inspector M'Gee.  
 (2.) A copy of the Information filed by the Attorney General in the case.  
 (3.) A statement of the Judge's charge to the Jury, and the verdict and sentence.
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28. **DR. LANG** to move, That there be laid upon the Table of this House, on the first day of the next Session of Parliament, a Tabulated Nominal Return of all the Properties now held by Trustees or other Persons for the use of Denominational Schools, that is to say :—the quantity of land in each locality, and whether granted by Government or private persons; the description of buildings erected thereon, whether schools or teachers' residences, or both, and the present condition thereof, as regards their adequacy or otherwise, for school purposes; the date of the erection of such buildings; if rented, of whom, and the annual amount of such rent; if any improvements, the total cost of such erections and improvements in each place—distinguishing, in each case, the amount contributed from the public funds from that raised by private subscription; whether such contributions were made in cash or in other and what equivalent; the amount pledged for school buildings yet unpaid; the several and the entire estimated value of the properties at the present time vested in Trustees or otherwise, on account of Denominational Education; the names, in each case, of such Trustees, or of the owners of land or buildings used for each Denominational School.

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1. District Courts Act Amendment Bill; second reading.
2. Town Hall Site Exchange Bill; to be further considered in Committee.
3. Penrith Nepean Bridge Re-construction Bill; second reading.
4. Resumption of the Adjourned Debate on Mr. Darvall's motion,—  
 " (1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risk of trade, and gives undue encouragement to speculation and the extension of credit.  
 " (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General."
5. Enforcement of Claims against the Crown Bill; second reading.
6. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
7. Affiliated Colleges Act Amendment Bill; second reading.
8. Necropolis Act Extension Bill; to be further considered in Committee.
9. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
10. Public Lands Bill; second reading.
11. Land Tax Bill; second reading.
12. Capital Punishments Abolition Bill; second reading.
13. Law of Primogeniture Abolition Bill; second reading.
14. Inquests concerning Fires Bill; second reading.
15. Sydney Council Debentures Bill; to be further considered in Committee.
16. Supreme Court Verdicts and Judgments Bill; second reading.
17. Commissioner at Newcastle Appointment Bill; second reading.
18. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
19. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
20. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
21. New Trials Bill; second reading.

#### Question :—

1. **MR. ASHER** to ask THE SECRETARY FOR LANDS,—  
 (1.) Are the Government aware that a good dray road can be formed between the Tumut and Kiandra, avoiding that almost impassable precipice known as Lobb's Hole?  
 (2.) Do the Government intend having that part of the country examined by competent persons, with a view to forming a good dray road?  
 (3.) Do the Government intend to ascertain, from competent officers, the condition of the road between Albury and Kiandra?

TUESDAY, JULY 3.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. WILSON to move, That the Report of the Select Committee on the Church and School Lands, laid upon the Table of this House on the 24th April, be now adopted.
2. MR. HODGSON to move,—
  - (1.) That, in the opinion of this House, the system of levying Tonnage Dues at the Port of Newcastle, so long as such system is not extended to other Ports in this Colony, is wrong in principle, unjust in practice, and ought to be abolished.
  - (2.) That the Act, 19th Victoria, No. 25, by virtue of which such Tonnage Dues are at the present time collected, should be immediately repealed.
  - (3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to make arrangements for carrying into effect the above Resolutions.
3. MR. LAYCOCK to move,—
  - (1.) That a Return be laid upon the Table of this House, shewing the separate and total sums of money, including the portion derived from tolls, expended on the Windsor Road, during the year 1859.
  - (2.) The amounts received in the shape of tolls on that road, during the same period, by the Trustees.

Question:—

1. MR. LAYCOCK to ask THE SECRETARY FOR LANDS,—Whether the present Acting Surveyor General, or the Officer fulfilling the duties of Surveyor General, is in receipt of the same amount of salary as was awarded to the Surveyor General?

T. A. MURRAY,  
*Speaker.*

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[Price, 6d.]





No. 121.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY

FRIDAY, 29 JUNE, 1860.

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

Sergeant-at-Arms :—

(1.) The Speaker reported and read to the House the following Letter, received by him yesterday :—

*" Colonial Secretary's Office,  
" Sydney, 28th June, 1860.*

" SIR,

" I am directed by the Colonial Secretary to enclose a Commission in favor of Charles Wray Finch, Esquire, who has been appointed by His Excellency the Governor General, with the advice of the Executive Council, Sergeant-at-Arms to the Legislative Assembly, in the room of Mr. Shadforth.

" 2. The Government, though not prepared in the first instance to make this appointment, has had no hesitation in acceding to the expressed wish of the Assembly, as indicated in the recent discussion."

" I have the honor to be,

" Sir,

" Your most obedient servant,

" W. ELYARD."

" THE HONORABLE THE SPEAKER

" OF THE LEGISLATIVE ASSEMBLY."

(2.) The Speaker then administered to Charles Wray Finch, Esquire, the Oaths of Allegiance and Office respectively, as Sergeant-at-Arms to the Legislative Assembly of New South Wales.

2. Vacant Seat :—Mr. Weekes moved, That the Seat of Nicolas Hyeronimus, Esquire, lately serving in this House as Member for the Electoral District of Wellington, hath become and is now vacant by reason of the death of the said Nicolas Hyeronimus, Esquire.

Question put and passed.

3. Railway Extension :—Mr. Asher moved, pursuant to notice,—

(1.) That in consequence of the great influx of population which must necessarily arise in consequence of the discovery of the Kiandra Gold Fields, that any delay in carrying out the three proposed Lines of Railway, more particularly the Great Southern Line, will be prejudicial to the interests and progress of this Colony.

(2.) That it is the opinion of this House that plans should be at once prepared, and tenders called for, for the construction of the Great Southern Line of Railway to Goulburn, Yass, Gundagai, and Albury; also, for the extension of the Northern and Western Lines.

(3.) That unless some immediate steps are taken for the construction of the Lines of Railway above referred to, a great portion of the trade which legitimately belongs to New South Wales will be enjoyed by the neighbouring Colonies, to the serious injury of this Colony.

(4.) That a copy of the foregoing Resolutions be forwarded to His Excellency the Governor General.

Debate ensued.

Question put.

The House divided,—

And the Tellers reporting the numbers as follows,—

Ayes, 5.

Mr. Deniehy,  
Mr. Wilson,  
Mr. Plunkett,  
Mr. Asher,  
Mr. Terry. } Tellers.

Noes, 14.

Mr. Robertson, Mr. Hoskins,  
Mr. Arnold, Mr. Forster,  
Mr. Weekes, Mr. Clements,  
Mr. Piddington, Mr. Black,  
Mr. Parkes, Mr. J. Campbell,  
Mr. Jamison, Mr. Farnell, } Tellers.  
Mr. Laycock, Mr. Lucas,

And it appearing by the said Report that there was not a Quorum of Members present, the Speaker adjourned the House, at twenty-five minutes after Four o'clock, until Tuesday next, at Three o'clock.

NOTICES

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JULY 3.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. WILSON to move, That the Report of the Select Committee on the Church and School Lands, laid upon the Table of this House on the 24th April, be now adopted.
2. MR. HODGSON to move,—
  - (1.) That, in the opinion of this House, the system of levying Tonnage Dues at the Port of Newcastle, so long as such system is not extended to other Ports in this Colony, is wrong in principle, unjust in practice, and ought to be abolished.
  - (2.) That the Act, 19th Victoria, No. 25, by virtue of which such Tonnage Dues are at the present time collected, should be immediately repealed.
  - (3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to make arrangements for carrying into effect the above Resolutions.
3. MR. LAYCOCK to move,—
  - (1.) That a Return be laid upon the Table of this House, showing the separate and total sums of money, including the portion derived from tolls, expended on the Windsor Road, during the year 1859.
  - (2.) The amounts received in the shape of tolls on that road, during the same period, by the Trustees.
4. MR. PARKES to move, That the Contract for the execution of Railway Works entered into with Sir Samuel Morton Peto and Co., and their Agents, has been conducted by the Government in a manner highly irregular and unsatisfactory, which must necessarily be productive of injury and loss to the Colony.
5. MR. PARKES to move, That the Railway Department as at present organized, notwithstanding its magnitude and costliness, is manifestly defective in insuring that personal inspection and superintendence of the works by the principal Engineering Officers which is necessary for the protection of the public interest.
6. MR. PARKES to move, That the Heads of the Railway Department, acting apparently from personal considerations, in which the public interest has been sacrificed, have thrown unreasonable impediments in the way of the Contractor for the Southern and Western Lines of Extension, which have materially delayed the progress of the works.
7. MR. PARKES to move, That the Evidence before this House has cast so much doubt on the stability of the timber viaducts on the Southern and Western Lines of Railway Extension—more especially those of a greater height than twenty feet—that it is expedient, in order to insure the safety of life and property, that a Board of competent Engineers, unconnected with the Government, should be appointed to examine and report upon the principles of their construction in respect to their strength and durability.
8. MR. PARKES to move, That the letter addressed by the Government to Mr. Rhodes, on the 12th instant, refusing to treat with that gentleman as the Agent of Sir Samuel Morton Peto and Co., is not justified by any evidence before this House.
9. MR. PARKES to move, That the dismissal of Mr. Storey, the late Inspector of Works on the Western Line of Railway Extension, appears to be partly, if not wholly, in consequence of that officer's giving evidence before this House, and, as such, evinces an arbitrary spirit at variance with those principles of justice which ought to regulate every branch of the Public Service.
10. MR. PARKES to move, That the Resolutions adopted this day by this House, in reference to the Railway Works, be communicated by Address to His Excellency the Governor General.
11. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—A Copy of the Government Notice of May 15, 1860, inviting Tenders for 5,000 gallons China Oil; also Copies of Tenders in reply thereto—and of all Correspondence that may have taken place between any of the Tenderers and the Colonial Treasurer in reference to the same; together with an explanatory statement as to whether the lowest Tender was accepted; and, if it was not, the reasons why it was not so accepted.
12. MR. PARKES to move, That there be laid upon the Table of this House, a Return, shewing the number of persons employed in locally superintending the construction of, and in examining materials for, the several Lines of Railway under contract since September, 1858; their names and official designation—their appointed duties—fixed pay and allowances (if any) in each case—and the dates of their official and Gazetted appointments; and of any dismissals that may have taken place, with the grounds of such dismissal; also, shewing the lines and the length of each contract upon which such persons have been employed.
13. MR. KEMP to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, and all other papers having reference to the case of Mr. N. L. Kentish.

14. MR. TERRY to move,—  
 (1.) That in the opinion of this House it is detrimental to the public interest for a Government Officer—Crown Law Officers excepted—to undertake, either directly or indirectly, private employment from individuals or companies; and any such Officer so undertaking private employment, ought to be dismissed the service.  
 (2.) That the above Resolution be embodied in an Address to the Governor General, praying that His Excellency will bring it under the notice of the Executive Council.
15. MR. MACLEAY to move, That the Petition presented by him on the 19th June, from certain Inhabitants of Wagga Wagga, relative to the want of a Bridge at that place, be printed.
16. MR. MACLEAY to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1860, a sum not exceeding £700, for the erection of a Bridge over the Wollandry Lagoon at Wagga Wagga.
17. MR. LUCAS to move, That the Standing Orders be suspended, so as to give the Orders of the Day precedence of all other Business on Thursdays and Fridays during the present Session.
18. MR. PLUNKETT to move, That leave of absence be granted to Mr. Hurley, the Honourable Member for Narellan, for one fortnight, in consequence of indisposition.
19. MR. LUCAS to move, That the Resolution, reported from the Committee of the whole House, that it is desirable to introduce a Bill to regulate Chinese Immigration, be adopted.
20. MR. CLEMENTS to move, That leave of absence be granted for a fortnight to Mr. Hamilton, Member for Monaro, in consequence of ill-health.
21. DR. LANG to move, That, in the opinion of this House, it is expedient and necessary that a separate and distinct Department should be created in the Executive of this Colony, under the designation of the Ministry of Public Instruction or Education; that the Head of such Department should be a Cabinet Minister; and that all Educational and Charitable Institutions, throughout the Colony, receiving support or aid from the Public Treasury, should be under his superintendence and control.
22. MR. DENIEHY to move, That by reason of the invalidity of the proceedings at the recent Election for the Tamut, purporting to result in the return of Daniel Henry Deniehy, Esquire, for the Electoral District of Tamut aforesaid, the Seat therefor, vacated by George Dunmore Lang, Esquire, still remains vacant.
23. MR. LUCAS to move, That the Resolution, reported from the Committee of the whole House, that it is desirable to introduce a Bill to regulate Chinese Immigration, be adopted.
24. MR. TERRY to move,—  
 (1.) That in the opinion of this House, it is detrimental to the public interest for a Government Officer—Crown Law Officers excepted—to undertake, either directly or indirectly, private employment from individuals or companies; and any such Officer so undertaking private employment ought to be dismissed the service.  
 (2.) That the above Resolution be embodied in an Address to the Governor General, praying that His Excellency will bring it under the notice of the Executive Council.
25. MR. WILSON to move, That the Report of the Select Committee on the Church and School Lands, laid upon the Table of this House on the 24th April, be now adopted.
26. MR. DENIEHY to move, That the Report of the Committee of Inquiry into the University of Sydney, brought up and laid upon the Table of the House, be adopted.
27. MR. FORSTER to move, That it is the opinion of this House,—  
 (1.) That the distribution of the Funds reserved for Public Worship under Schedule C of the Constitution Act was intended to take effect in accordance with the Act of Council, 7 William 4th, No. 3, commonly known as Sir Richard Bourke's Act.  
 (2.) That, therefore, the payment of stipends to dignitaries of any Church, as such, in excess of the stipends authorised by the Act last specified above, ought to be discontinued.
28. MR. MARTIN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—  
 (1.) A copy of the Judge's Notes taken at the recent trial of the two soldiers for the murder of the late Inspector M'Gee.  
 (2.) A copy of the Information filed by the Attorney General in the case.  
 (3.) A statement of the Judge's charge to the Jury, and the verdict and sentence.
29. MR. KEMP to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, and other papers having reference to the case of Mr. N. L. Kentish.
30. DR. LANG to move, That there be laid upon the Table of this House, on the first day of the next Session of Parliament, a Tabulated Nominal Return of all the Properties now held by Trustees or other Persons for the use of Denominational Schools, that is to say:—the quantity of land in each locality, and whether granted by Government or private persons; the description of buildings erected thereon, whether schools or teachers' residences, or both, and the present condition thereof, as regards their adequacy or otherwise, for school purposes; the date of the erection of such buildings; if rented, of whom, and the annual amount of such rent; if any improvements, the total cost of such erections and improvements in each place—distinguishing, in each case, the amount contributed from the public funds from that raised by private subscription; whether such contributions were made in cash or in other and what equivalent; the amount pledged for school

school buildings yet unpaid; the several and the entire estimated value of the properties at the present time vested in Trustees or otherwise, on account of Denominational Education; the names, in each case, of such Trustees, or of the owners of land or buildings used for each Denominational School.

ORDERS OF THE DAY:—

1. District Courts Act Amendment Bill; second reading.
2. Town Hall Site Exchange Bill; to be further considered in Committee.
3. Penrith Nepean Bridge Re-construction Bill; second reading.
4. Resumption of the Adjourned Debate on Mr. Darvall's motion,—  
 “(1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risk of trade, and gives undue encouragement to speculation and the extension of credit.  
 “(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.”
5. Enforcement of Claims against the Crown Bill; second reading.
6. Consideration in Committee of Address for compensation to Mrs. Frances De Courcy.
7. Affiliated Colleges Act Amendment Bill; second reading.
8. Necropolis Act Extension Bill; to be further considered in Committee.
9. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
10. Public Lands Bill; second reading.
11. Land Tax Bill; second reading.
12. Capital Punishments Abolition Bill; second reading.
13. Law of Primogeniture Abolition Bill; second reading.
14. Inquests concerning Fires Bill; second reading.
15. Sydney Council Debentures Bill; to be further considered in Committee.
16. Supreme Court Verdicts and Judgments Bill; second reading.
17. Commissioner at Newcastle Appointment Bill; second reading.
18. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
19. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
20. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
21. New Trials Bill; second reading.

Question:—

1. MR. LAYCOCK to ask THE SECRETARY FOR LANDS,—Whether the present Acting Surveyor General, or the Officer fulfilling the duties of Surveyor General, is in receipt of the same amount of salary as was awarded to the Surveyor General?

T. A. MURRAY,  
*Speaker.*

No. 122.

**VOTES AND PROCEEDINGS**

**OF THE**

**LEGISLATIVE ASSEMBLY.**

TUESDAY, 3 JULY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
Papers:—  
(1.) Mr. Weekes laid upon the Table the Fifth Annual Report from the Postmaster General, (being for the year 1859.)  
Ordered to be printed.  
(2.) Mr. Robertson laid upon the Table the following Papers:—  
(1.) Schedule of Returns furnished under the District Courts Act of 1858.  
(2.) Return to Address, in reference to Correspondence with Officers appointed under District Courts Act of 1858, adopted, on motion of Mr. Plunkett, on 5th October, 1859.  
Ordered to be printed.  
(3.) Return to Address, in reference to Sentences to Imprisonment or Hard Labor, adopted, on motion of Mr. Murray, on 18th October, 1859.
2. Adjournment for Prorogation:—Mr. Robertson moved, That this House do, at its rising, adjourn until Eleven o'clock to-morrow.  
Debate ensued.  
Question put and passed.
3. Papers:—Mr. Robertson laid upon the Table Papers designated as follows, and dated respectively 29 June, 1860:—  
(1.) A Bill for Regulating the Alienation of Crown Lands.  
(2.) A Bill for Regulating the Occupation of Crown Lands.  
(3.) A Bill to Amend the Constitution of the Legislative Council.  
Mr. Robertson then moved, That the Papers so laid upon the Table by him be printed.  
Debate ensued.  
Question put.  
The House divided.  
Ayes, 30.  

Mr. Robertson, Mr. Weekes, Mr. Arnold, Mr. F. Cooper, Mr. Dickson, Mr. McArthur, Mr. Gordon, Mr. Egan, Mr. Atkinson, Mr. Clements, Mr. Hodgson, Mr. Mort, Mr. A. Campbell, Mr. Oakes, Mr. Farnell,	Mr. Plunkett, Mr. Hoskins, Mr. Terry, Mr. Kemp, Mr. Lucas, Mr. Byrnes, Mr. J. Campbell, Rev. Dr. Lang, Mr. Hart, Mr. Laycock, Mr. Pemell, Mr. Black, Mr. Parkes, Mr. Blake, Mr. Wilson,	} Tellers.
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- Noes, 5.  

Mr. Martin, Mr. Macleay, Mr. Windeyer, Mr. Samuel, Mr. Forster,	} Tellers.
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Ordered to be printed.

4. Appropriation Bill for 1859-60:—The Speaker reported that, while the last subject was under Debate, the following Message was received from the Legislative Council:—  
MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain Sums to make good the Supplies granted for the Service of the year 1859-60,*" returns the same to the Legislative Assembly without Amendment.

Legislative Council Chamber,  
Sydney, 29th June, 1860.

W. W. BURTON,  
President.

5. Restoration of Plans produced before a Select Committee:—Mr. Robertson, with the concurrence of the House, moved, without notice, That the Clerk have leave to return to the Acting Surveyor General, certain Plans exhibited by that Officer to the Select Committee on the Maitland Pasturage Reserve, on the 18th April, 1860, and now in the possession of this House.  
Question put and passed.
6. Grievances:—Mr. Parkes, as Chairman, brought up a Second Progress Report from the Select Committee on Grievances, in reference to the Petitions of Edwin Tyler and William Henry, which were referred to the Committee on the 6th December, and 10th February last, respectively,—together with the Proceedings of the Committee and Minutes of Evidence.  
Ordered to be printed.
7. Restoration of Documents produced before Select Committees:—  
(1.) Mr. Parkes, with the concurrence of the House, moved, without notice, That the Clerk have leave to restore to the several witnesses in the case of William Henry, certain original documents now in possession of this House, the same having been by them produced and laid before the Select Committee on Grievances.  
Question put and passed.  
(2.) Mr. Hodgson, with the concurrence of the House, moved, without notice, That the Clerk have leave to restore to the Railway Commissioner, a Plan exhibited by the Engineer-in-Chief before a Select Committee of this House [on the Burwood Tramway Continuation Act Amendment and the Australian Agricultural Company's Newcastle Railway Bills, on 8th December, 1857, and now in possession of this House].  
Question put and passed.
8. Motion withdrawn:—Mr. Wilson withdrew the motion standing in his name No. 1 on the Notice Paper for to-day.
9. Tonnage Dues at Newcastle:—Mr. Hodgson moved, pursuant to notice,—  
(1.) That, in the opinion of this House, the system of levying Tonnage Dues at the Port of Newcastle, so long as such system is not extended to other Ports in this Colony, is wrong in principle, unjust in practice, and ought to be abolished.  
(2.) That the Act, 19th Victoria, No. 25, by virtue of which such Tonnage Dues are at the present time collected, should be immediately repealed.  
(3.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to make arrangements for carrying into effect the above Resolutions.  
Debate ensued.  
Question put.  
The House divided.

## Ayes, 8.

Mr. A. Campbell,  
Mr. Parkes,  
Mr. Scott,  
Mr. Atkinson,  
Mr. Farnell,  
Mr. Hodgson,  
Mr. Piddington, } Tellers.  
Mr. Windeyer, }

## Noes, 13.

Mr. Robertson, Mr. Samuel,  
Mr. Weekes, Mr. Forster,  
Mr. Hoskins, Mr. Plunkett,  
Mr. Laycock, Mr. Lucas, } Tellers.  
Mr. Pemell, Mr. Asher, }  
Mr. Terry,  
Mr. Black,  
Mr. Lyons,

10. Expenditure on Windsor Road in 1859:—Mr. Laycock moved, pursuant to notice,—  
(1.) That a Return be laid upon the Table of this House, shewing the separate and total sums of money, including the portion derived from tolls, expended on the Windsor Road during the year 1859.  
(2.) The amounts received in the shape of tolls on that road, during the same period, by the Trustees.  
Question put and passed.
11. Contract for Railway Works with Sir Samuel Morton Peto and Co.:—Mr. Parkes moved, pursuant to notice, That the Contract for the execution of Railway Works entered into with Sir Samuel Morton Peto and Co., and their Agents, has been conducted by the Government in a manner highly irregular and unsatisfactory, which must necessarily be productive of injury and loss to the Colony.  
Debate ensued.  
Notice being taken that there was not a Quorum of Members present, the House was counted, and there being only Nineteen Members present, exclusive of the Speaker, viz.:—Mr. Arnold, Mr. Black, Mr. A. Campbell, Mr. Deniehy, Mr. Forster, Mr. Gordon, Mr. Hoskins, Rev. Dr. Lang, Mr. Laycock, Mr. Lucas, Mr. Lyons, Mr. Macleay, Mr. Parkes, Mr. Piddington, Mr. Plunkett, Mr. Roberts, Mr. Samuel, Mr. Weekes, and Mr. Windeyer,—the Speaker adjourned the House at half-past Ten o'clock, until To-morrow, at Eleven o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JULY 4.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HART to move, That there be laid upon the Table of this House, a Return containing the following particulars respecting hospitals, police and other barracks, gaols, watch-houses, lock-ups, and other places for the detention of prisoners, now existing, or which are in course of construction, or which are about to be erected in various parts of this Colony—and which are specified in the Estimates for Public Buildings, passed during the present Session of Parliament :—
  - (1.) With respect to the hospitals, police and other barracks—
    - (1.) The superficial dimensions and cubic capacity of each dormitory.
    - (2.) The means of drainage and ventilation which have been, or which are to be provided therein.
    - (3.) The number of persons each dormitory is calculated to accommodate.
  - (2.) With respect to the gaols, watch-houses, lock-ups, and other places for the detention of prisoners—
    - (1.) The number of dormitories and of cells in each gaol, watch-house, or lock-up, &c.
    - (2.) The superficial dimensions and cubic capacity of each dormitory and cell.
    - (3.) The means of drainage and of ventilation which have been, or are to be provided in each gaol, watch-house, or lock-up, &c.
    - (4.) The number of persons each dormitory and each cell is calculated to receive.
    - (5.) A specific statement of the provision made for baths and lavatories in each of the said barracks, gaols, and other places for the detention of prisoners.
    - (6.) The sum allotted by the Government, in each case, for the erection, repairs, or alterations of the several buildings above referred to.
2. MR. PARKES to move, That the Railway Department as at present organized, notwithstanding its magnitude and costliness, is manifestly defective in insuring that personal inspection and superintendence of the works by the principal Engineering Officers which is necessary for the protection of the public interest.
3. MR. PARKES to move, That the Heads of the Railway Department, acting apparently from personal considerations, in which the public interest has been sacrificed, have thrown unreasonable impediments in the way of the Contractor for the Southern and Western Lines of Extension, which have materially delayed the progress of the works.
4. MR. PARKES to move, That the Evidence before this House has cast so much doubt on the stability of the timber viaducts on the Southern and Western Lines of Railway Extension—more especially those of a greater height than twenty feet—that it is expedient, in order to insure the safety of life and property, that a Board of competent Engineers, unconnected with the Government, should be appointed to examine and report upon the principles of their construction in respect to their strength and durability.
5. MR. PARKES to move, That the letter addressed by the Government to Mr. Rhodes, on the 12th instant, refusing to treat with that gentleman as the Agent of Sir Samuel Morton Peto and Co., is not justified by any evidence before this House.
6. MR. PARKES to move, That the dismissal of Mr. Storey, the late Inspector of Works on the Western Line of Railway Extension, appears to be partly, if not wholly, in consequence of that officer's giving evidence before this House, and, as such, evinces an arbitrary spirit at variance with those principles of justice which ought to regulate every branch of the Public Service.
7. MR. PARKES to move, That the Resolutions adopted this day by this House, in reference to the Railway Works, be communicated by Address to His Excellency the Governor General.
8. MR. PARKES to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—A Copy of the Government Notice of May 15, 1860, inviting Tenders for 5,000 gallons China Oil; also Copies of Tenders in reply thereto—and of all Correspondence that may have taken place between any of the Tenderers and the Colonial Treasurer in reference to the same; together with an explanatory statement as to whether the lowest Tender was accepted; and, if it was not, the reasons why it was not so accepted.
9. MR. PARKES to move, That there be laid upon the Table of this House, a Return, shewing the number of persons employed in locally superintending the construction of, and in examining materials for, the several Lines of Railway under contract since September, 1858; their names and official designation—their appointed duties—fixed pay and allowances (if any) in each case—and the dates of their official and Gazetted appointments; and of any dismissals that may have taken place, with the grounds of such dismissal; also, shewing the lines and the length of each contract upon which such persons have been employed.
10. MR. KEMP to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, and all other papers having reference to the case of Mr. N. L. Kentish.

11. **MR. TERRY** to move,—  
 (1.) That in the opinion of this House it is detrimental to the public interest for a Government Officer—Crown Law Officers excepted—to undertake, either directly or indirectly, private employment from individuals or companies; and any such Officer so undertaking private employment ought to be dismissed the service.  
 (2.) That the above Resolution be embodied in an Address to the Governor General, praying that His Excellency will bring it under the notice of the Executive Council.
12. **MR. MACLEAY** to move, That the Petition presented by him on the 19th June, from certain Inhabitants of Wagga Wagga, relative to the want of a Bridge at that place, be printed.
13. **MR. MACLEAY** to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1860, a sum not exceeding £700, for the erection of a Bridge over the Wollandry Lagoon at Wagga Wagga.
14. **MR. LUCAS** to move, That the Standing Orders be suspended, so as to give the Orders of the Day precedence of all other Business on Thursdays and Fridays during the present Session.
15. **MR. PLUNKETT** to move, That leave of absence be granted to Mr. Hurley, the Honorable Member for Narellan, for one fortnight, in consequence of indisposition.
16. **MR. LUCAS** to move, That the Resolution, reported from the Committee of the whole House, that it is desirable to introduce a Bill to regulate Chinese Immigration, be adopted.
17. **MR. CLEMENTS** to move, That leave of absence be granted for a fortnight to Mr. Hamilton, Member for Monaro, in consequence of ill-health.
18. **DR. LANG** to move, That, in the opinion of this House, it is expedient and necessary that a separate and distinct Department should be created in the Executive of this Colony, under the designation of the Ministry of Public Instruction or Education; that the Head of such Department should be a Cabinet Minister; and that all Educational and Charitable Institutions, throughout the Colony, receiving support or aid from the Public Treasury, should be under his superintendence and control.
19. **MR. DENIEHY** to move, That by reason of the invalidity of the proceedings at the recent Election for the Tumut, purporting to result in the return of Daniel Henry Deniehy, Esquire, for the Electoral District of Tumut aforesaid, the Seat therefor, vacated by George Dunmore Lang, Esquire, still remains vacant.
20. **MR. LUCAS** to move, That the Resolution, reported from the Committee of the whole House, that it is desirable to introduce a Bill to regulate Chinese Immigration, be adopted.
21. **MR. TERRY** to move,—  
 (1.) That in the opinion of this House, it is detrimental to the public interest for a Government Officer—Crown Law Officers excepted—to undertake, either directly or indirectly, private employment from individuals or companies; and any such Officer so undertaking private employment ought to be dismissed the service.  
 (2.) That the above Resolution be embodied in an Address to the Governor General, praying that His Excellency will bring it under the notice of the Executive Council.
22. **MR. WILSON** to move, That the Report of the Select Committee on the Church and School Lands, laid upon the Table of this House on the 24th April, be now adopted.
23. **MR. DENIEHY** to move, That the Report of the Committee of Inquiry into the University of Sydney, brought up and laid upon the Table of the House, be adopted.
24. **MR. FORSTER** to move, That it is the opinion of this House,—  
 (1.) That the distribution of the Funds reserved for Public Worship under Schedule C of the Constitution Act was intended to take effect in accordance with the Act of Council, 7 William 4th, No. 3, commonly known as Sir Richard Bourke's Act.  
 (2.) That, therefore, the payment of stipends to dignitaries of any Church, as such, in excess of the stipends authorised by the Act last specified above, ought to be discontinued.
25. **MR. MARTIN** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—  
 (1.) A copy of the Judge's Notes taken at the recent trial of the two soldiers for the murder of the late Inspector M'Gee.  
 (2.) A copy of the Information filed by the Attorney General in the case.  
 (3.) A statement of the Judge's charge to the Jury, and the verdict and sentence.
26. **MR. KEMP** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Molong Bench and the Government, and other papers having reference to the case of Mr. N. L. Kentish.
27. **DR. LANG** to move, That there be laid upon the Table of this House, on the first day of the next Session of Parliament, a Tabulated Nominal Return of all the Properties now held by Trustees or other Persons for the use of Denominational Schools, that is to say:—the quantity of land in each locality, and whether granted by Government or private persons; the description of buildings erected thereon, whether schools or teachers' residences, or both, and the present condition thereof, as regards their adequacy or otherwise, for school purposes; the date of the erection of such buildings; if rented, of whom, and the annual amount of such rent; if any improvements, the total cost of such erections and improvements in each place—distinguishing, in each case, the amount contributed from the public funds from that raised by private subscription; whether such contributions were made in cash or in other and what equivalent; the amount pledged for school



school buildings yet unpaid; the several and the entire estimated value of the properties at the present time vested in Trustees or otherwise, on account of Denominational Education; the names, in each case, of such Trustees, or of the owners of land or buildings used for each Denominational School.

ORDERS OF THE DAY :—

1. District Courts Act Amendment Bill; second reading.
2. Town Hall Site Exchange Bill; to be further considered in Committee.
3. Penrith Nepean Bridge Re-construction Bill; second reading.
4. Resumption of the Adjourned Debate on Mr. Darvall's motion,—  
 “ (1.) That the practice of lending the Public Money at Interest is dangerous and impolitic, because it exposes the Public Property to the risk of trade, and gives undue encouragement to speculation and the extension of credit.  
 “ (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor General.”
5. Enforcement of Claims against the Crown Bill; second reading.
6. Consideration in Committee of Address for compensation to Mrs. Frances De Courroy.
7. Affiliated Colleges Act Amendment Bill; second reading.
8. Necropolis Act Extension Bill; to be further considered in Committee.
9. Funds for Experimental Quartz Crushing Machine; consideration in Committee of Address for.
10. Public Lands Bill; second reading.
11. Land Tax Bill; second reading.
12. Capital Punishments Abolition Bill; second reading.
13. Law of Primogeniture Abolition Bill; second reading.
14. Inquests concerning Fires Bill; second reading.
15. Sydney Council Debentures Bill; to be further considered in Committee.
16. Supreme Court Verdicts and Judgments Bill; second reading.
17. Commissioner at Newcastle Appointment Bill; second reading.
18. Consideration in Committee of Address for the sum of £1,000 for repairing the Cook's River Dam.
19. Moreton Bay Immigration and Land Company's Act Amendment Bill; second reading.
20. Consideration in Committee of Address for increase of Salary to the Chief Clerk and Cashier in the Customs Department.
21. New Trials Bill; second reading.

Question :—

1. MR. COOPER to ask THE SECRETARY FOR PUBLIC WORKS,—When do the Government intend calling for tenders to effect repairs, to the extent of £2,000, upon the Braidwood Gaol, which sum was recently voted by this House for that purpose?

T. A. MURRAY,  
Speaker.



No. 123.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 4 JULY, 1860.

1. The House met pursuant to adjournment; the Speaker took the Chair.  
 Hospital and, Gaol Buildings:—Mr. Hart moved, pursuant to notice, That there be laid upon the Table of this House, a Return containing the following particulars respecting hospitals, police and other barracks, gaols, watch-houses, lock-ups, and other places for the detention of prisoners, now existing, or which are in course of construction, or which are about to be erected in various parts of this Colony—and which are specified in the Estimates for Public Buildings, passed during the present Session of Parliament:—
  1. With respect to the hospitals, police and other barracks—
    - (1.) The superficial dimensions and cubic capacity of each dormitory.
    - (2.) The means of drainage and ventilation which have been, or which are to be provided therein.
    - (3.) The number of persons each dormitory is calculated to accommodate.
  2. With respect to the gaols, watch-houses, lock-ups, and other places for the detention of prisoners—
    - (1.) The number of dormitories and of cells in each gaol, watch-house, or lock-up, &c.
    - (2.) The superficial dimensions and cubic capacity of each dormitory or cell.
    - (3.) The means of drainage and of ventilation which have been, or are to be provided in each gaol, watch-house, or lock-up, &c.
    - (4.) The number of persons each dormitory and each cell is calculated to receive.
    - (5.) A specific statement of the provision made for baths and lavatories in each of the said barracks, gaols, and other places for the detention of prisoners.
    - (6.) The sum allotted by the Government, in each case, for the erection, repairs, or alterations of the several buildings above referred to.

Debate ensued.
2. Black Rod:—The Usher of the Black Rod was admitted, and, having delivered a Message, "That it is the pleasure of the Governor General that this Honorable House do forthwith attend His Excellency in the Legislative Council Chamber," the House attended accordingly, and the Honorable the Speaker addressed His Excellency the Governor General as follows:—  
 MAY IT PLEASE YOUR EXCELLENCY:—  
 The Legislative Assembly has voted the Supplies required to defray the expenses of the Public Service during the year 1859-60. I have the honor to present to your Excellency for this purpose a Bill, intituled "*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain Sums to make good the Supplies granted for the Service of the year 1859-60*", for which Bill Her Majesty's faithful Commons solicit the Royal Assent.
3. Assent to Bills:—
  - (1.) Appropriation Bill for 1859-60:—The Honorable the Speaker then presented to the Governor General the Bill, intituled "*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain sums to make good the Supplies granted for the Service of the year 1859-60*;" to which His Excellency was pleased to subscribe and declare his Assent, in the name and on the behalf of Her Majesty.
  - (2.) Abattoir Road Bill:—His Excellency was also pleased to declare his Assent, in the name and on the behalf of Her Majesty, to the Bill, intituled "*An Act to facilitate the Communication between the Abattoirs and Sydney*."
4. Prorogation Speech:—After which His Excellency was pleased to make to both Houses of Parliament the following Speech:—  
 HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL,  
 AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,  
 1. I am happy to be enabled to release you from your Parliamentary duties and to close the Session.  
 2. During the recess, various measures of importance will be matured by the Government for the consideration of Parliament when it shall again assemble.  
 GENTLEMEN,

## GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

3. I thank you for the supplies you have voted, and assure you that they shall be administered with a due regard to economy and the efficiency of the Public Service.

4. I have again to express my regret that, from circumstances which the Government could not control, it was compelled to anticipate the sanction of the Legislature to the public expenditure, in order to keep faith with the Public Creditor, and to carry on the Public Service.

5. It is my intention to call Parliament together as early as possible, in order that every opportunity may be afforded of passing the Estimates for 1861 before the close of the present year.

6. Although there was in the first quarter of this year a serious falling off in the Revenue, it has lately shewn considerable improvement; and there are now grounds for believing that the estimated amount may yet be realized.

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

7. The event of the greatest interest which has occurred since I last addressed you, is the discovery of extensive and rich Gold Fields in the Southern portion of the Colony. From the results already realized, sanguine expectations are entertained that ere long very large additions will be made to the population of those Districts, and it will be the anxious care of the Government to make proper arrangements for the regulation and control of this increased population, and for facilitating the extended commercial operations which will, doubtless, accompany the tide of immigration.

8. These arrangements will obviously occasion expense, but the permanent advantages which will arise from the development of the resources of the Colony, and the increase of its trade, will unquestionably more than compensate for the expenditure which will have to be incurred.

9. In consequence of the large traffic which is growing up in the Districts bordering upon the Colony of Victoria, the Government have felt it incumbent on them to take steps for collecting the duty upon articles consumed within our own territory; and a negotiation has been commenced with the neighbouring Government, with a view to the adoption of some amicable arrangement which, while not unnecessarily interfering with a trade convenient to settlers in those Districts of this Colony, and advantageous to the mercantile community of Victoria, may at the same time secure to New South Wales the revenue to which it is entitled.

10. The separation of the District of Moreton Bay, and the establishment of a separate Government there, will not, I trust, be attended with those injurious consequences to the interests of New South Wales which have been predicted. I would fain hope that, on the contrary, we may have the gratification of witnessing the rapid growth of another Colony in the North, rivalling those which have already so speedily risen into importance in the South. New South Wales, the oldest Colony of the Australian Group, will always feel a deep interest in the prosperity, and rejoice in the advancement of them all.

11. The question of the division of the existing Debt of New South Wales must be considered without delay, and steps taken for settling the amount chargeable against the Colony of Queensland. I trust that during the ensuing Session of Parliament a mode may be devised by which this matter may be determined upon principles of equity and to the satisfaction of both the Colonies interested.

I now declare this Parliament to stand prorogued until Tuesday, the seventh day of August next.

W. DENISON.

T. A. MURRAY,  
*Speaker.*