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Legislative Council.

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[Price, 6d.]

No. 1.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 3 SEPTEMBER, 1861.

1. Appointment of President:—The Council being met at Twelve o'clock, at noon, pursuant to Proclamation of His Excellency the Governor, William Charles Wentworth, Esquire, took the Chair, and produced an Instrument under the Seal of the Colony appointing him President, which was read by the Clerk as follows:—

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

"To Our trusty and well-beloved

"The Honorable William Charles Wentworth, Esquire,

"Greeting:

"Know you, that We, confiding in your Loyalty, Wisdom, and Integrity, have constituted and appointed, and Do hereby constitute and appoint you, the said William Charles Wentworth, Esquire, to be the President of the Legislative Council of Our Colony of New South Wales, To hold the said Office during the pleasure of the Governor for the time being of Our said Colony.

"In witness whereof, Our Right Trusty and Well-beloved Councillor, SIR JOHN YOUNG, Baronet, Knight Commander of Our Most Honorable Order of the Bath, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Our Captain General and Governor-in-Chief of Our Colony of New South Wales, and Vice-Admiral of the same, hath caused this Instrument to be sealed with the Seal of Our said Colony, at Government House, Sydney, this twenty-fourth day of June, in the year of Our Lord, One thousand eight hundred and sixty-one, and in the twenty-fifth year of Our Reign.

"(L.S.) JOHN YOUNG.

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

"CHARLES COWPER.

2. Opening the Session:—The said Proclamation was then read by the Clerk, as follows:—

"PROCLAMATION.

"By His Excellency the Right Honorable SIR JOHN YOUNG, Baronet, Knight Commander of the Most Honorable Order of the Bath, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Captain General and Governor-in-Chief of the Colony of New South Wales, and Vice-Admiral of the same.

"Whereas the Parliament of New South Wales now stands prorogued to Tuesday, the twenty-third day of July instant: Now, I, SIR JOHN YOUNG, in pursuance of the power and authority in me vested, as Governor of the said Colony, do hereby further prorogue the said Parliament, to Tuesday, the third day of September next ensuing; and I do hereby further announce and proclaim, that the said Parliament shall assemble for the dispatch of business on the aforesaid third day of September next, at Twelve o'clock at noon, in the Buildings known as the Council Chambers, situate in Macquarie-street, in the City of Sydney, and the Members

MINUTES OF THE PROCEEDINGS

"Members of the Legislative Council and the 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
"eighteenth day of July, in the year of Our Lord one thousand eight
"hundred and sixty-one, and in the twenty-fifth year of Her Majesty's
"Reign.

"(L.S.) JOHN YOUNG.

"By His Excellency's Command,

"CHARLES COWPER.

"GOD SAVE THE QUEEN!"

Members Present :—

The Honorable William Charles Wentworth, President, The Honorable George Allen, The Honorable Edward Butler, The Honorable William Byrnes, The Honorable John Campbell, The Honorable John Bayley Darvall, Q.C., The Honorable Samuel Deane Gordon, The Honorable John Fletcher Hargrave, The Honorable George Kenyon Holden, The Honorable Charles Kemp, The Honorable Alexander Macarthur, The Honorable John Macfarlane, The Honorable Sir William Montagu Manning, Knight, Q.C., The Honorable Francis Lewis Shaw Merowether, The Honorable James Mitchell, The Honorable John Robertson, The Honorable Ralph Mayer Robey, The Honorable Bourn Russell, The Honorable William Russell, The Honorable Edward Deas Thomson, O. B., The Honorable Edward Wolstenholme Ward, Captain, R.E., The Honorable John Brown Watt.

Absent :—

The Honorable Robert Fitzgerald, The Honorable John Hubert Plunkett, Q.C., The Honorable Alexander Walker Scott.

The President acquainted the House "That the Governor not thinking fit to be personally present here whilst the Members of this House are being sworn this day, has been pleased to cause a Commission to be issued under the Great Seal of the Colony in order to the opening and holding of this Session of Parliament."

Then—the Commissioners being seated, one on the right and another on the left of the Chair, and the President in the Chair—the President commanded the Usher of the Black Rod to acquaint the Assembly that "the Commissioners request their immediate attendance to hear read a Commission for opening this Session of Parliament,—"

And the Assembly being come, with their Speaker, and the Members of both Houses standing,—

The President said,—

"Honorable Gentlemen of the Legislative Council, and Gentlemen of the Legislative Assembly,—

"His Excellency the Governor not thinking fit to be personally present here whilst the Members of the Legislative Council are being sworn this day, has been pleased to cause a Commission to be issued under the Great Seal of the Colony, constituting us Commissioners, to do all things necessary to be performed by the Governor, in the name or on the part of Her Majesty the Queen, or in the name or on the part of His Excellency as Governor of the Colony, in order to the opening and holding of this Session of Parliament, as will more fully appear by the Commission itself, which must now be read,"—

Whereupon the Clerk read the said Commission, as follows :—

"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 eighteenth day of July last by His Excellency The Right Honorable Sir John Young Our Captain General and Governor-in-Chief of Our Colony of New South Wales the said Sir John Young 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 Third day of September 1861. And whereas for certain causes Our said Governor cannot conveniently be present in person at the Opening of the said Session: Now know ye that We trusting in the discretion fidelity and care of Our trusty and well-beloved The Honorable William Charles Wentworth Esquire President of the said Legislative Council The Honorable John Robertson Esquire Secretary for Lands and The Honorable John Fletcher Hargrave Esquire Attorney General of New South Wales Do give and grant by the tenor of these Presents unto the said William Charles Wentworth John Robertson and John Fletcher Hargrave 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 Third day of September 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

"tenor of these presents all whom it concerns to meet in the said Parliament that
"to the said William Charles Wentworth John Robertson and John Fletcher
"Hargrave 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 Right Trusty and Well-beloved Councillor SIR JOHN YOUNG
"Baronet Knight Commander of Our Most Honorable Order of the
"Bath Knight Grand Cross of Our Most Distinguished Order of
"Saint Michael and Saint George Our Captain-General and Governor-in-
"Chief of Our Colony of New South Wales and Vice-Admiral of the
"same at Government House Sydney in New South Wales aforesaid this
"thirty-first day of August in the year of our Lord One thousand eight
"hundred and sixty-one and in the twenty-fifth year of Our Reign.

"(L.S.) JOHN YOUNG.

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

"CHARLES COWPER."

The President then requested the Members of both Houses to be seated, and said,—
"Honorable Gentlemen of the Legislative Council, and Gentlemen of the Legislative
Assembly,—

"We have it in command from the Governor to let you know that so soon as the
"Members of the Legislative Council shall have been sworn, His Excellency will, in
"person, declare the causes of Parliament being called together at this time; and
"we are to add that it is His Excellency's pleasure that you, Gentlemen of the
"Legislative Assembly, repair to your own Chamber, and there await the usual
"summons to attend His Excellency in this House, so soon as its members shall have
"been so sworn,"—

Whereupon the Assembly, with their Speaker, withdrew.

3. Members Sworn:—The President then produced a Commission, constituting him and
other Members of the Council therein named, Commissioners to administer the Oath
required by law to be taken by Members of the Council, which Commission was read
by the Clerk, as follows:—

"By His Excellency the Right Honorable Sir John Young, Baronet, Knight
"Commander of the Most Honorable Order of the Bath, Knight Grand
"Cross of the Most Distinguished Order of Saint Michael and Saint George,
"Captain General and Governor-in-Chief of the Colony of New South
"Wales, and Vice-Admiral of the same.

"To all to whom these presents shall come,

"Greeting:

"In pursuance of the authority in me vested in that behalf I Sir John
"Young as Governor of the Colony of New South Wales do hereby authorise Tho
"Honorable William Charles Wentworth Esquire President of the Legislative
"Council The Honorable John Robertson Esquire Secretary for Lands and The
"Honorable John Fletcher Hargrave Esquire Attorney General of New South
"Wales or any one or more of them to administer to all or any Members or Member
"of the Legislative Council 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 Council.

"Given under my Hand and the Seal of the Colony at Government House
"Sydney this thirty-first day of August in the year of our Lord one
"thousand eight hundred and sixty-one and in the twenty-fifth year of
"the Reign of Her Majesty Queen Victoria.

"(L.S.) JOHN YOUNG.

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

"CHARLES COWPER."

Whereupon the President produced the Writ summoning him to the Legislative
Council, took the Oath, and subscribed the Roll; the other Commissioners also
produced the Writs summoning them to the Legislative Council, took the Oath, and
subscribed the Roll; and then the Members following, in answer to their names,
severally presented themselves at the Table, produced the Writs summoning them
to the Legislative Council, took the Oath before the Commissioners, and subscribed
the Roll, viz.:—

The Honorable George Allen,
The Honorable Edward Butler,
The Honorable William Byrnes,
The Honorable John Campbell,
The Honorable John Bayley Darvall, Q.C.,
The Honorable Samuel Deane Gordon,
The Honorable George Kenyon Holden,
The Honorable Charles Kemp,
The Honorable Alexander Macarthur,
The Honorable John Macfarlane,
The Honorable Sir William Montagu
Manning, Knight, Q.C.,

The Honorable Francis Lewis Shaw
Merewether,
The Honorable James Mitchell,
The Honorable Ralph Mayer Robey,
The Honorable Bourn Russell,
The Honorable William Russell,
The Honorable Edward Deas Thomson, C.B.,
The Honorable Edward Wolstenholme
Ward, Captain, R.E.
The Honorable John Brown Watt.

4. The Governor's Opening Speech:—His Excellency the Governor having been announced by the Usher of the Black Rod, and conducted to his seat by the President, accompanied by other Members and Officers of the House, commanded the Usher of the Black Rod, through the Aid-de-Camp, to let the Assembly know, "It is His Excellency's pleasure they attend him immediately in this House,"—And the Assembly, with their Speaker, being in attendance accordingly, and seated, by desire of His Excellency, in the seats provided for them,—His Excellency read the following Speech:—

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

1. In addressing you personally for the first time, I avail myself of the opportunity to congratulate the Colony upon the possession of Political Institutions which, if the spirit of wisdom and moderation inspire your counsels, are well calculated, under the blessing of Providence, to develop, in the highest degree, the energies of the people, and the resources of the country.

2. The sitting of Parliament having already occupied four months of the present year, I did not feel justified in withdrawing you from your private pursuits at an earlier period.

3. I have much pleasure in announcing to you that the condition of the Revenue is satisfactory, and that the important portion of it arising from the Customs continues to increase. The Gold Fields of the Colony are still advancing in number and productiveness.

4. The result of the Census which has been just completed shews that notwithstanding the severance of Queensland there has been during the last five years an increase of nearly 100,000 in the population, which now amounts to upwards of 350,000. It is an encouraging fact that this large increase is substantially in the Suburban and Country Districts.

5. I trust that the measures which will be submitted to you, will receive your candid and careful consideration. Some of them have already been under the consideration of Parliament, and urgently demand your attention. A speedy and satisfactory settlement of the Land Question becomes daily of more pressing importance and it is an object of great interest to provide for the constitution of the Legislative Council on an Elective basis.

6. The Bills for the Management of the Gold Fields and for dealing with the Chinese Question may be considered of scarcely less moment. These subjects require early and anxious deliberation.

7. The condition of the Gaols and Penal Establishments of the Colony has engaged the earnest attention of the Government, with a view to the adoption, as far as practicable, of those improved methods of Secondary Punishment which exist in the more recently constructed Prisons of the Mother Country. I recommend the subject to your consideration as one in which, by judicious regulations, humane and efficient provisions may be combined with great eventual saving to the State.

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

8. The Supplementary Estimates for 1861, and the Estimates for the year 1862, will be forthwith submitted to you.

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

9. It is highly gratifying to me to be able to state that the Commissioners are making such arrangements as will secure the adequate representation of the Colony at the London Exhibition of 1862.

10. I have great satisfaction in informing you that the disputes which have hitherto surrounded the Contracts for Railway Works undertaken by Messrs. Peto, Brassey, and Co., and which presented so serious an impediment to their satisfactory progress, are now adjusted. A contract has been signed for the completion of the lines at present authorized, which will be ready for traffic to all the terminal points within the coming year. A proposal for extended Railway Works will be found in the Estimates.

11. The unprecedented fall of Rain throughout the Colony during many months past, has occasioned extraordinary difficulties in maintaining, in even passable condition, the main lines of Road. These difficulties have, as far as possible, been met by unusual exertions to make the amounts provided by the liberality of Parliament for Road purposes quickly available, and very considerable improvements have thus been effected.

12. The contracts for largely extending Telegraphic Communication, recently sanctioned by Parliament have been completed, and so soon as Queensland has finished the line within its own boundary, our connexion with that Colony will be perfected. The general success of the Telegraphic scheme will justify further extensions.

13. The negotiation with the Government of Victoria with reference to the Customs Duties on goods crossing the Murray from that Colony has been re-opened. This question when considered in an amicable spirit appears to present no insuperable difficulties, and I hope that an equitable settlement of it may be effected. Your attention will be invited to a Bill to empower the Government to conclude a Treaty upon this subject.

14. Much inconvenience has arisen from the absence of any general system of management for the Police Force, and a Bill will be laid before you for the purpose of placing the Constabulary of the Colony, so far as circumstances will admit, upon the same footing as prevails in the Mother Country and in several of the Colonies. I recommend the matter to your early attention.

15. In bringing forward from time to time such measures as are most urgently required, the Government will be guided by the progress of the Public Business. I trust that by judicious arrangement the present Session may be concluded within a reasonable period, and that in future the meeting of Parliament may, under ordinary circumstances, be limited to that portion of the year which is most generally convenient for the attendance of the Representatives of the Country Constituencies. I am persuaded that such a practice would be productive of most beneficial results; whereas if the Sessions of Parliament be continued during nearly the whole year, not only does the burden fall heavily upon the Members of the Legislature, but the proper performance of the Executive duties of the Government must be seriously impeded.

16. From the Territory which New South Wales originally possessed several important Colonies have been created, but she still comprises within her present limits a larger area than any other Australian Colony. In the vast extent of her pastoral, and the richness of her agricultural lands, in the value and abundance of her auriferous and mineral resources, some of which are peculiarly her own, and in the intelligence and enterprising spirit of her inhabitants, she possesses all the elements of a great and prosperous Nation. Much may be done by her Legislators to secure her rapid advancement and permanent prosperity; and I pray that the progressive improvement of the Colony, morally, socially, and politically, may, by the Divine favour, be the result of your deliberations.

His Excellency being then conducted to the door by the President, accompanied by other Members and Officers of the House,—

And the Assembly, with their Speaker, having withdrawn,—

The House adjourned at seven minutes after One o'clock, until Four o'clock, this day.

The House having resumed.

5. Ordinance Lands Transfer Bill:—The Secretary for Lands presented this Bill, and moved, That this Bill be now, *pro forma*, read a first time.

Question put and passed,—

And Bill intituled, "*A Bill for confirming the transfer to the Secretary at War in England from the Principal Officers of Ordnance there of certain Lands in New South Wales, and for amending the Ordnance Land Act of Council 1840,*" read a first time, *pro forma*.

6. Chairman of Committees:—On motion of the Secretary for Lands, without previous notice, it was Resolved unanimously, That the Honorable George Allen be Chairman of Committees of the whole House, during the present Session,—

Whereupon Mr. Allen made his acknowledgments to the House.

7. Paper:—The Secretary for Lands, *By Command*, laid upon the Table a Despatch respecting the Sydney Branch of the Royal Mint, dated Downing-street, 20 June, 1861, Ordered to be printed.

8. Address in reply to His Excellency's Opening Speech:—The President reported that he had obtained a copy of the Speech His Excellency the Governor had been pleased to make this day to both Houses of Parliament,—and having read the same,—Mr. Gordon moved, and Mr. Macarthur seconded the motion, That a Select Committee be appointed to consider and prepare an Address in answer to His Excellency the Governor's Opening Speech; and that such Committee consist of Mr. Campbell, Mr. Darvall, Mr. Macarthur, Dr. Macfarlane, the Secretary for Lands, Mr. W. Russell, Mr. Deas Thomson, Captain Ward, and the Mover.

Question put and passed;—

Whereupon the Committee retired to consider and prepare the Address,—

And Mr. Gordon having, after some time, brought up the Address, as prepared by the Committee, moved, That the said Address be now read by the Clerk,—

Question put and passed:—

Whereupon, the said Address was read by the Clerk, as follows:—

"To His Excellency the Right Honorable SIR JOHN YOUNG, *Baronet, Knight Commander of the Most Honorable Order of the Bath, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Captain General and Governor-in-Chief of the Colony of New South Wales, and Vice-Admiral of the same.*

"MAY IT PLEASE YOUR EXCELLENCY,—

"We, Her Majesty's loyal and dutiful Subjects, the Members of the Legislative Council 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, on meeting us in Parliament for the first time.

"We cordially accept the congratulations expressed by Your Excellency upon the possession of the Political Institutions which the Colony enjoys; and we trust that a spirit of wisdom and moderation will inspire our counsels, and guide us in the adoption of such measures as may be calculated to develop the energies of the people and the resources of the Colony. "We

" We are glad to be informed that the condition of the Revenue is satisfactory, and that the Gold Fields of the Colony are increasing in number and productiveness.

" We agree with Your Excellency in thinking that it is a matter of hearty congratulation that, notwithstanding the severance of Queensland, the population of the Colony has increased nearly 100,000 during the last five years; and that this large increase is chiefly in the Suburban and Country Districts.

" To the measures which will be submitted to us we shall give our careful consideration; and we unite with Your Excellency in regarding a speedy and satisfactory settlement of the Land Question as becoming daily of more pressing importance. To provide for the construction of the Legislative Council upon an Elective basis is also a matter of great interest.

" The Bills for the Management of the Gold Fields, and for dealing with the Chinese Question, are, we admit, of scarcely less moment, and we shall be prepared to bestow upon them our early and anxious deliberation.

" We shall enter into the consideration of the subject of Secondary Punishment with a just sense of its importance, and as demanding our earnest attention.

" It is highly gratifying to us to hear that arrangements are being made to secure the adequate representation of the Colony at the London Exhibition of 1862.

" We rejoice to learn that it is proposed to make further extensions of the Railways and Telegraphic Communications of the Colony. The maintenance and improvement of the Main Lines of Road throughout the Colony we recognize as matters of vital importance, and we are glad to find that efforts have been made to render quickly available the funds provided by Parliament for Road purposes.

" The Bill to empower the Government to conclude a Treaty with the Colony of Victoria, as to the Customs' Duties on Goods crossing the Murray from that Colony, shall receive our attentive consideration.

" We are aware that evils have arisen from the absence of any general system of management for the Police Force, and shall be prepared to consider any proposal that may be made for remedying these evils.

" It will afford us much gratification if, with due regard to the public interests, by any improved arrangements our Parliamentary duties may be in any degree lightened. We shall, nevertheless, be prepared to give our attendance in Parliament to such extent as the Public service may seem to require, and we join with your Excellency in the aspiration that our labours may, by the Divine favour, aid in the moral, social, and political improvement of the Colony.

Mr. Gordon then moved and Mr. Macarthur seconded the motion, That the Address as read by the Clerk be now adopted as the Answer of this House to the Speech His Excellency the Governor had been pleased this day to make to both Houses of Parliament.

Debate ensued.

Question put and passed,—

And the Secretary for Lands having informed the House that he had ascertained it to be the pleasure of the Governor to receive their Address in reply to His Excellency's Opening Speech, at Government House, to-morrow, at half-past Three o'clock P.M.,—

The House, on motion of the Secretary for Lands, adjourned at fourteen minutes after Six o'clock, until to-morrow, at Three o'clock, P.M.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, SEPTEMBER 4.

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

NOTICES OF MOTION:—

1. THE SECRETARY FOR LANDS to move, That the Standing Orders Committee for the present Session consist of the following Members, viz.:—The President, The Attorney General, Sir William Manning, Mr. Plunkett, Captain Ward, Mr. Deas Thomson, Mr. Scott, Mr. Kemp, Mr. Holden, and the Mover, 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 Assembly.
2. THE SECRETARY FOR LANDS to move, That the Library Committee for the present Session consist of the following Members, viz.:—The President, the Attorney General, Mr. Mercwether, Mr. Allen, Dr. Macfarlane, Mr. Deas Thomson, Mr. Butler, Mr. Kemp, Mr. Mitchell, and the Mover, 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 Assembly.

OF THE LEGISLATIVE COUNCIL.

3. THE SECRETARY FOR LANDS to move, That, unless otherwise ordered, this House will meet, for the Dispatch of Business, at four o'clock, P. M., on Wednesday and Thursday in each week.
4. THE SECRETARY FOR LANDS to move, That on Wednesday in each week, Government Business take precedence of General Business.
5. THE SECRETARY FOR LANDS 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 Usher of the Black Rod, by direction of the President, shall ring the Division Bell, and two minutes shall elapse before the President proceed to count the House.
6. THE SECRETARY FOR LANDS 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. THE SECRETARY FOR LANDS to move, That leave of absence for a fortnight be granted to the Honorable A. W. Scott, in consequence of severe indisposition.
8. THE SECRETARY FOR LANDS to move for leave to bring in a Bill for Regulating the Alienation of Crown Lands.
9. THE SECRETARY FOR LANDS to move for leave to bring in a Bill for regulating the Occupation of Crown Lands.
10. THE ATTORNEY GENERAL to move for leave to bring in a Bill to amend the Law of Property, and to Relieve Trustees.

WEDNESDAY, SEPTEMBER 11.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. THE SECRETARY FOR LANDS to move for leave to bring in a Bill for regulating the Impounding of Cattle.

R. O'CONNOR,

Clerk of the Legislative Council.

No. 2.

MINUTES OF THE PROCEEDINGS

LEGISLATIVE COUNCIL

WEDNESDAY, 4 SEPTEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at a quarter after three o'clock:

Members Present:—

- | | |
|---|--|
| The Honorable William Charles Wentworth, President. | The Honorable Francis Lewis Shaw |
| The Honorable George Allen, | Merewether, |
| The Honorable Edward Butler, | The Honorable James Mitchell, |
| The Honorable William Byrnes, | The Honorable John Robertson, |
| The Honorable John Campbell, | The Honorable Ralph Mayer Robey, |
| The Honorable John Bayley Darvall, Q.C., | The Honorable Bourd Russell, |
| The Honorable Samuel Deane Gordon, | The Honorable William Russell, |
| The Honorable John Fletcher Hargrave, | The Honorable Edward Deas Thomson, C.B., |
| The Honorable George Kenyon Holden, | The Honorable Edward Wolstenholme |
| The Honorable Charles Kemp, | Ward, Captain, R.E. |
| The Honorable Alexander Macarthur, | |
| The Honorable John Macfarlane, | |
| The Honorable Sir William Montagu | |
| Manning, Knight, Q.C., | |

2. Commission to the President to Administer the Oath:—The President having announced that he had received a Commission authorizing him to Administer the Oath required by Law to be taken by Members of the Legislative Council before they can sit or vote therein, the same was read by the Clerk as follows:—

By His Excellency the Right Honorable Sir John Young, Baronet, Knight Commander of the Most Honorable Order of the Bath, Knight Grand Cross of the Most Distinguished Order of Saints Michael and Saint George, Captain General and Governor-in-Chief of the Colony of New South Wales, and Vice-Admiral of the same:—
To all to whom these presents shall come, to assure them that in pursuance of the authority in me vested in that behalf by Sir John Young as Governor of the Colony of New South Wales do hereby authorize The Honorable William Charles Wentworth Esquire President of the Legislative Council of the said Colony to administer from time to time as occasion may require to any Members or Member of the said Council 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 Council.

Given under my Hand and the Seal of the Colony at Government House Sydney this second day of September in the year of our Lord one thousand eight hundred and sixty-one and in the twenty-fifth year of the Reign of Her Majesty Queen Victoria.

(L.S.) JOHN YOUNG.

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

CHARLES COWPER.

3. Papers :—The Secretary for Lands laid upon the Table the undermentioned Papers :—
 (1.) *By Command* :—Despatches in reference to Resolutions passed by the Legislative Council on 29th June, 1860, on occasion of proceeding to the Order of the Day for the Third Reading of the Appropriation Bill of 1859-60.
 (2.) *By Command* :—Report from the Trustees of the Sydney Grammar School for the year 1860.
 (3.) Return to Address, in reference to Fees in Insolvency and Expenses of Insolvent Department, adopted, on motion of Mr. Deas Thomson, on 21st March, 1861.
 (4.) *By Command* :—Further Despatches respecting Pensions in the Colonial Civil Service.

Ordered to be printed.

4. Address in reply to His Excellency's Opening Speech :—On motion of the Secretary for Lands, the House proceeded to Government House, there to present to the Governor their Address in reply to the Speech His Excellency had been pleased to make to both Houses of Parliament on Opening the present Session,—
 And having returned,—

The President reported that the House had been to Government House, and had there presented to the Governor their Address in reply to His Excellency's Opening Speech, and that His Excellency had been pleased to give thereto the following Answer :—

MR. PRESIDENT AND HONORABLE GENTLEMEN
 OF THE LEGISLATIVE COUNCIL.

I acknowledge with thanks the expressions which you tender of affection and loyalty to the person and Government of Our Most Gracious Sovereign and I wish you all success in the performance of the arduous duties which you have undertaken.

JOHN YOUNG.

Government House,
 Sydney, 4th September, 1861.

5. Standing Orders Committee :—The Secretary for Lands moved, pursuant to notice, *by leave amended*, That the Standing Orders Committee for the present Session consist of the following Members, viz. :—The President, The Attorney General, Sir William Manning, Mr. Plunkett, Captain Ward, Mr. Deas Thomson, Mr. Scott, Mr. Kemp, Mr. Holden, Mr. Allen, and the Mover, 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 Assembly.
 Question put and passed.
6. Library Committee :—The Secretary for Lands moved, pursuant to notice, That the Library Committee for the present Session consist of the following Members, viz. :—The President, The Attorney General, Mr. Merewether, Mr. Allen, Dr. Macfarlane, Mr. Deas Thomson, Mr. Butler, Mr. Kemp, Mr. Mitchell, and the Mover, 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 Assembly.
 Question put and passed.
7. Days for Dispatch of Business :—The Secretary for Lands moved, pursuant to notice, That, unless otherwise ordered, this House will meet for the Dispatch of Business, at Four o'clock, P.M., on Wednesday and Thursday in each week.
 Question put and passed.
8. Day for Dispatch of Government Business :—The Secretary for Lands moved, pursuant to notice, That on Wednesday, in each week, Government Business take precedence of General Business.
 Question put and passed.
9. Counting the House :—The Secretary for Lands 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 Usher of the Black Rod, by direction of the President, shall ring the Division Bell, and two minutes shall elapse before the President proceed to count the House.
 Question put and passed.
10. Transmission of Messages between the two Houses :—The Secretary for Lands 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.
11. Leave of Absence :—The Secretary for Lands moved, pursuant to notice, That leave of absence for a fortnight be granted to the Honorable A. W. Scott, in consequence of severe indisposition.
 Question put and passed.
12. Crown Lands Alienation Bill :—The Secretary for Lands moved, pursuant to notice, for leave to bring in a Bill for Regulating the Alienation of Crown Lands.
 Question put and passed.
13. Crown Lands Occupation Bill :—The Secretary for Lands moved, pursuant to notice, for leave to bring in a Bill for Regulating the Occupation of Crown Lands.
 Debate ensued.
 Question put and passed.

OF THE LEGISLATIVE COUNCIL.

14. Crown Lands Alienation Bill :—The Secretary for Lands having *presented* this Bill, Bill, intituled, "*A Bill for regulating the Alienation of Crown Lands*," read a first time;—
Ordered, That the second reading stand an Order of the Day for Wednesday next, and that the Bill, in the meantime, be printed.
15. Crown Lands Occupation Bill :—The Secretary for Lands having *presented* this Bill, Bill, intituled, "*A Bill for regulating the Occupation of Crown Lands*," read a first time;—
Ordered, That the second reading stand an Order of the Day for Wednesday next, and that the Bill, in the meantime, be printed.
16. Property Law and Trustees Relief Bill :—The Attorney General moved, pursuant to notice, for leave to bring in a Bill to amend the Law of Property and to Relieve Trustees.
 Question put and passed;—
 And the Attorney General having *presented* this Bill, Bill, intituled, "*A Bill to further amend the Law of Property and to Relieve Trustees*," read a first a time;—
Ordered, That the second reading stand an Order of the Day for to-morrow week, and that the Bill, in the meantime, be printed.
- The House adjourned at Ten minutes before Five o'clock, until Wednesday next, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, SEPTEMBER 11.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. THE SECRETARY FOR LANDS to move for leave to bring in a Bill for regulating the Impounding of Cattle.
2. THE ATTORNEY GENERAL to move for leave to bring in a Bill to ascertain and declare Titles to Land.
3. THE ATTORNEY GENERAL to move for leave to bring in a Bill to facilitate the Transfer of Land.
4. THE ATTORNEY GENERAL to move for leave to bring in a Bill to enlarge the powers of the Chief Commissioner of Insolvent Estates, and to amend the Law of Insolvency.
5. THE ATTORNEY GENERAL to move for leave to bring in a Bill to amend and extend the Municipalities Act of 1858.

ORDERS OF THE DAY :—

1. Crown Lands Alienation Bill; Second Reading.
2. Crown Lands Occupation Bill; Second Reading.

THURSDAY, SEPTEMBER 12.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Property Law and Trustees Relief Bill; Second Reading.

R. O'CONNOR,

Clerk of the Legislative Council.

THE UNITED STATES OF AMERICA
DO hereby certify that
[Name] is a citizen of the United States

and that he is entitled to the
privileges and immunities of
citizenship.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the United States of America, this [Date] day of [Month], 19[Year].

JOHN [Name]
President of the United States of America
By [Name]
Vice President of the United States of America
[Signature]

No. 3.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 11 SEPTEMBER, 1861.

- 1 The House met pursuant to adjournment. The President took the Chair at thirteen minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President.

The Honorable George Allen,
The Honorable Edward Butler,
The Honorable John Campbell,
The Honorable Samuel Deane Gordon,
The Honorable John Fletcher Hargrave,
The Honorable George Kenyon Holden,
The Honorable Charles Kemp,
The Honorable Alexander Macarthur,
The Honorable John Macfarlane,
The Honorable Sir William Montagu
Manning, Knight, Q.C.,

The Honorable James Mitchell,
The Honorable John Robertson,
The Honorable Ralph Mayer Robey,
The Honorable Bourn Russell,
The Honorable William Russell,
The Honorable Edward Deas Thomson, C.B.,
The Honorable Edward Wolstenholme
Ward, Captain, R.F.,
The Honorable John Brown Watt.

2. Paper :—The Secretary for Lands, *By Command*, laid upon the Table the Fifth Annual Report on the Registration of Births, Deaths, and Marriages.
Ordered to be printed.
3. Chinese Immigration :—Mr. Bourn Russell presented a Petition from certain inhabitants of Major's Creek and its vicinity, in the District of Braidwood, praying the prohibition of Chinese Immigration, and the withdrawal of the Chinese from the Gold Fields of the Colony.
Petition received.
4. Chinese working on the Gold Fields :—Mr. Kemp presented a Petition from certain Miners and other Residents on the Rocky River Gold Fields, praying the House to prohibit, after a time to be fixed, the Chinese from working on the Gold Fields of this Colony.
Petition received.
5. Motions dropped :—
(1.) The Secretary for Lands not moving the motion standing in his name first on the Notice Paper for to-day, it dropped.
(2.) The Attorney General not moving the motions standing in his name second, third, fourth, and fifth on the Notice Paper for to-day, they severally dropped.
6. Crown Lands Alienation Bill :—The Order of the Day for the Second Reading of this Bill read, and discharged on motion of the Secretary for Lands ;—
Whereupon Bill, on motion of the Secretary for Lands, discharged from the Paper.
7. Crown Lands Occupation Bill :—The Order of the Day for the second reading of this Bill read, and discharged on motion of the Secretary for Lands ;—
Whereupon Bill, on motion of the Secretary for Lands, discharged from the Paper.
The House adjourned, at twenty-eight minutes before five o'clock, until *Wednesday next*, at four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, SEPTEMBER 18.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Property Law and Trustees Relief Bill ; Second Reading.

R. O'CONNOR,
Clerk of the Legislative Council.

No. 4.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 18 SEPTEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-one minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,

The Honorable George Allen,
The Honorable John Campbell,
The Honorable Samuel Deane Gordon,
The Honorable John Fletcher Hargrave,
The Honorable George Kenyon Holden,
The Honorable Charles Kemp,
The Honorable Alexander Macarthur,
The Honorable John Macfarlane,

The Honorable Francis Lewis Shaw
Merewether,
The Honorable James Mitchell,
The Honorable John Robertson,
The Honorable Ralph Mayer Robey,
The Honorable Edward Deas Thomson, C.B.,
The Honorable Edward Wolstenholme
Ward, Captain, R.E.,

2. Paper:—The Secretary for Lands, *By Command*, laid upon the Table the Statistical Register of New South Wales, for the year 1860.
3. Chinese Immigration:—Mr. Macarthur presented a Petition from certain Inhabitants of Sydney, praying the enactment of such measures, to remedy the evil of Chinese Immigration, as to the House shall seem meet.
Petition received.
4. Reward for Discovery of Gold at Kiandra:—Mr. Deas Thomson, on behalf of Sir William Manning, having, by leave of the House, asked the Secretary for Lands,—What is the intention of the Government with reference to the claim of Robert John Smirl, William Russell, George Blackie, and Jeremiah Berragan to a reward for the Discovery of Gold at Kiandra?—
The Secretary for Lands replied,—That certain Regulations have obtained the sanction of the Executive Council, for the establishment of Courts, on the various Gold Fields, to inquire into and determine the claims and rights of claim in all such cases; and the cases of the men referred to in the question will be referred to one of those Courts.
5. Postponement:—The Second Reading of the Property Law and Trustees Relief Bill, postponed, on motion of the Attorney General, until Wednesday next.
The House adjourned at half-past four o'clock, until *Wednesday next*, at four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, SEPTEMBER 25.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Property Law and Trustees Relief Bill; Second Reading.

GENERAL BUSINESS—NOTICE OF MOTION:—

1. MR. MACARTHUR to move,—That the Petition presented by him on the 18th instant, from certain Inhabitants of Sydney, praying the enactment of such measures, to remedy the evil of Chinese Immigration, as to the House may seem meet, be printed.

R. O'CONNOR,
Clerk of the Legislative Council.

No. 5.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 25 SEPTEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty minutes after Four o'clock:

Members Present :—

The Honorable William Charles Wentworth, President,	
The Honorable George Allen, The Honorable John Campbell, The Honorable John Fletcher Hargrave, The Honorable John Macfarlane, The Honorable Francis Lewis Shaw Merewether,	The Honorable James Mitchell, The Honorable John Robertson, The Honorable Bourn Russell, The Honorable William Russell, The Honorable Edward Deas Thomson, C.B., The Honorable John Brown Watt.

2. Paper :—The Secretary for Lands, *By Command*, laid upon the Table the Commission and Instructions issued to His Excellency Sir John Young, Bart., as Governor-in-Chief of the Colony of New South Wales.
Ordered to be printed.

3. Chinese Immigration :—Mr. Campbell presented a Petition from certain Inhabitants of the Paddington Electorate, praying the House to pass such measures as will remedy the evils attendant on the Immigration of the Chinese to this Colony.
Petition received.

4. Messages from the Legislative Assembly :—The President reported the following Messages from the Legislative Assembly :—

(1.) Judicial and other Offices Qualification Amendment Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to amend the law as to the qualification for certain Judicial and other Offices*," presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 20 September, 1861.

T. A. MURRAY,

Speaker.

Bill, on motion of the Attorney-General, read a first time ;—

Ordered, That the second reading stand an Order of the Day for this day week, and that the Bill, in the meantime, be printed.

(2.) Crown Lands Alienation Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act for regulating the Alienation of Crown Lands*," presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 20 September, 1861.

T. A. MURRAY,

Speaker.

Bill, on motion of the Secretary for Lands, read a first time ;—

Ordered, That the second reading stand an Order of the Day for to-morrow, and that the Bill, in the meantime, be printed.

(3.) Crown Lands Occupation Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act for regulating the Occupation of Crown Lands*," presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 20 September, 1861.

T. A. MURRAY,

Speaker.

Bill,

Bill, on motion of the Secretary for Lands, read a first time;—

Ordered, That the second reading stand an Order of the Day for Wednesday next, and that the Bill, in the meantime, be printed.

5. Tomago Coal Mining Company's Incorporation Bill:—Mr. Deas Thomson presented a Petition from certain Shareholders of the Tomago Coal Mining Company, praying for leave to bring in a Bill to Incorporate the said Company,—
And Mr. Deas Thomson having produced the *Government Gazette*, and the *Sydney Morning Herald*, and *Newcastle Chronicle* newspapers, containing notice for four consecutive weeks, in the months of August last and September instant, of the intention to apply for such Bill, and a Certificate that the sum of Twenty-five pounds had been paid to the credit of the Consolidated Revenue,—
Petition received.

6. Postponements:—

(1.) Property Law and Trustees Relief Bill:—The Order for the Second Reading of this Bill postponed, on motion of the Attorney General, until this day week.

(2.) Mr. Allen postponed the Motion standing in the name of Mr. Macarthur on the Notice Paper for to-day, until to-morrow.

The House adjourned at sixteen minutes before Five o'clock, until To-morrow, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, SEPTEMBER 26.

GENERAL BUSINESS—NOTICES OF MOTION:—

1. MR. MEREWETHER to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of the undermentioned documents:—
(1.) The Letter conveying Sir William Westbrooke Burton's resignation of the Presidency of the Council, in May last, and the reply thereto.
(2.) The joint Letter conveying the resignation of certain Members of the Legislative Council, on the 10th May last, and the reply thereto.
(3.) All Minutes of the Executive Council, relating to the appointment of the twenty-one Members of the late Legislative Council, to whom Writs of Summons were issued on the 10th May, 1861, as notified in the *Government Gazette* of that date.
2. MR. DEAS THOMSON to move for leave to bring in a Bill, to Incorporate "The Tomago Coal Mining Company."
3. MR. MACARTHUR to move, That the Petition presented by him on the 18th instant, from certain Inhabitants of Sydney, praying the enactment of such measures, to remedy the evil of Chinese Immigration, as to the House may seem meet, be printed.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. THE SECRETARY FOR LANDS to move, That the Statistical Register of New South Wales for 1860, laid upon the Table of the House on the 18th instant, be printed.
2. THE SECRETARY FOR LANDS to move, That this House meet on Friday next, the 27th instant, at Four o'clock, P.M., and that Government Business take precedence of all other Business on that day.

ORDER OF THE DAY:—

1. Crown Lands Alienation Bill; Second Reading.

WEDNESDAY, OCTOBER 2.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Crown Lands Occupation Bill; Second Reading.
2. Property Law and Trustees Relief Bill; Second Reading.

GENERAL BUSINESS—ORDER OF THE DAY:—

1. Judicial and other Offices Qualification Amendment Bill; Second Reading.

For R. O'CONNOR,

Clerk of the Legislative Council.

JOHN J. CALVERT,

Clerk Assistant.

No. 6.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 26 SEPTEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at eighteen minutes after Four o'clock.

Members Present:—

The Honorable William Charles Wentworth, President,

<p>The Honorable George Allen, The Honorable William Byrnes, The Honorable John Campbell, The Honorable John Bayley Darvall, Q.C., The Honorable Samuel Deane Gordon, The Honorable John Fletcher Hargrave, The Honorable George Kenyon Holden, The Honorable John Macfarlane, The Honorable Francis Lewis Shaw Merewether,</p>	<p>The Honorable James Mitchell, The Honorable John Robertson, The Honorable Bourn Russell, The Honorable William Russell, The Honorable Edward Deas Thomson, C.B., The Honorable Edward Wolstenholme Ward, Captain, R.E., The Honorable John Brown Watt.</p>
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2. The late Legislative Council—Appointments and Resignations, on 10 May, 1861:—Mr. Merewether moved, pursuant to notice, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House copies of the undermentioned documents:—
 (1) The Letter conveying Sir William Westbrooke Burton's resignation of the Presidency of the Council, in May last, and the reply thereto.
 (2.) The joint Letter conveying the resignation of certain Members of the Legislative Council, on the 10th May last, and the reply thereto.
 (3.) All Minutes of the Executive Council, relating to the appointment of the twenty-one Members of the late Legislative Council, to whom Writs of Summons were issued on the 10th May, 1861, as notified in the *Government Gazette* of that date.
 Question put and passed.
3. The Chinese:—Mr. Campbell presented a Petition from certain Inhabitants of the Glebe and Balmain Electorate, representing the expediency of preventing the Chinese from digging for Gold, and of imposing a Tax upon their landing in this Colony.
 Petition received.
4. Tomago Coal Mining Company's Incorporation Bill:—Mr. Deas Thomson moved, pursuant to notice, for leave to bring in a Bill to Incorporate "The Tomago Coal Mining Company."
 Question put and passed;—
 And Mr. Deas Thomson having presented this Bill, Bill, intituled, "*A Bill to Incorporate 'The Tomago Coal Mining Company,'*" read a first time.
5. Postponement:—Mr. Allen further postponed the motion standing in the name of Mr. Macarthur third on the Notice Paper of General Business for to-day, until the next day of sitting.
6. Statistical Register for 1860:—The Secretary for Lands moved, pursuant to notice, That the Statistical Register of New South Wales for 1860, laid upon the Table of the House on the 18th instant, be printed.
 Question put and passed.
 Ordered to be printed.

7. Additional Day for dispatch of Business :—The Secretary for Lands moved, pursuant to notice, *by leave amended*, That this House meet on Tuesday next, the 1st October, at Four o'clock, P.M., and that Government Business take precedence of all other Business on that day.
Question put and passed.
8. Crown Lands Alienation Bill :—The Secretary for Lands moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time;—
Ordered, That the Committal of this Bill stand an Order of the Day for Tuesday next.
The House adjourned at twenty-seven minutes after Eight o'clock, until *Tuesday next*, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, OCTOBER 1.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Crown Lands Alienation Bill; to be considered in Committee.

GENERAL BUSINESS—NOTICES OF MOTION :—

1. MR. MACARTHUR to move, That the Petition presented by him on the 18th ultimo, from certain Inhabitants of Sydney, praying the enactment of such measures, to remedy the evil of Chinese Immigration, as to the House may seem meet, be printed.
2. MR. DEAS THOMSON to move,
(1.) That the Tomago Coal Mining Company's Incorporation Bill be referred to a Select Committee.
(2.) That such Committee consist of the following Members, viz. :—Mr. Holden, Mr. Merewether, The Attorney General, Mr. Allen, Mr. Darvall, Q.C., Mr. Macarthur, and the Mover.

WEDNESDAY, OCTOBER 2.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Crown Lands Occupation Bill; Second Reading.
2. Property Law and Trustees Relief Bill; Second Reading.

GENERAL BUSINESS—NOTICES OF MOTION :—

1. MR. CAMPBELL to move, That the Petition from certain Inhabitants of the Paddington Electorate, praying the House to pass such measures as will remedy the evils attendant on the Immigration of the Chinese to this Colony, presented by him on the 25th ultimo, be printed.
2. MR. CAMPBELL to move, That the Petition from certain Inhabitants of the Glebe and Balmain Electorate, representing the expediency of preventing the Chinese from digging for Gold, and of imposing a Tax upon their landing in this Colony, presented by him on the 26th ultimo, be printed.

ORDER OF THE DAY :—

1. Judicial and other Offices Qualification Amendment Bill; Second Reading.

For R. O'CONNOR,

Clerk of the Legislative Council.

JOHN J. CALVERT,

Clerk Assistant.

No. 7.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 1 OCTOBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-two minutes after Four o'clock.

Members Present:—

The Honorable William Charles Wentworth, President,

- | | |
|---------------------------------------|---|
| The Honorable George Allen, | The Honorable Francis Lewis Shaw |
| The Honorable Edward Butler, | Merewether, |
| The Honorable John Campbell, | The Honorable James Mitchell, |
| The Honorable Robert Fitzgerald, | The Honorable John Hubert Plunkett, Q.C., |
| The Honorable Samuel Deane Gordon, | The Honorable John Robertson, |
| The Honorable John Fletcher Hargrave, | The Honorable Ralph Mayer Robey, |
| The Honorable George Kenyon Holden, | The Honorable Bourn Russell, |
| The Honorable Charles Kemp, | The Honorable William Russell, |
| The Honorable Alexander Macarthur, | The Honorable Edward Deas Thomson, C.B., |
| The Honorable John Macfarlane, | The Honorable Edward Wolstenholme |
| The Honorable Sir William Montagu | Ward, Captain, R.E., |
| Manning, Knight, Q.C., | The Honorable John Brown Watt. |

2. *Members Sworn:—*The Members following presented themselves at the Chair, severally produced the Writs summoning them to the Legislative Council, took the Oath, and subscribed the Roll, viz. :—

The Honorable Robert Fitzgerald,
The Honorable John Hubert Plunkett, Q.C.

3. *The Chinese—Informality in Petition:—*The President informed the House that the Petition, presented by Mr. Campbell and received on the 26th ultimo, from certain Inhabitants of the Globe and Balmain Electorate, had on inspection been ascertained to be in contravention of the Standing Orders of the House and the Rules of Parliament, inasmuch as not one of the signatures thereto was written on the Petition itself, and it did not contain a specific prayer,—
And put a Question to the House:—That all Proceedings, in reference to the said Petition, subsequent to the presentation thereof, be rescinded,—
Which passed in the affirmative.

Mr. Campbell then withdrew the said Petition.

4. *Messages from the Legislative Assembly:—*The President reported the following Messages from the Legislative Assembly:—

(1.) *Chinese Immigrants Regulation and Restriction Bill:—*

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to regulate and restrict the Immigration of Chinese,*" presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 26 September, 1861.

T. A. MURRAY,
Speaker.

Bill, on motion of the Secretary for Lands, read a first time;—

Ordered, That the second reading stand an Order of the Day for to-morrow week, and that the Bill, in the meantime, be printed.

(2.)

(2.) Governor's Salary Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to amend the Law relating to the Salary of every future Governor*," presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 27 September, 1861.*

T. A. MURRAY,
Speaker.

Bill, on motion of the Secretary for Lands, read a first time ;—

Ordered, That the second reading stand an Order of the Day for to-morrow week, and that the Bill, in the meantime, be printed.

5. Paper :—The Secretary for Lands, *By Command*, laid upon the Table a Report from the Engineer-in-Chief for Railways in reference to Railway Extension.
Ordered to be printed.

6. Crown Lands Alienation Bill :—The Secretary for Lands moved, That the President do now leave the Chair, and the House resolve itself into a Committee of the Whole, for consideration of this Bill.

Debate ensued.

Question put and passed ;—

Whereupon the President left the Chair, and the House resolved itself into a Committee of the Whole accordingly.

The Chairman obtained leave to sit again, so soon as a Point of Order which had arisen in the Committee, at the instance of the Secretary for Lands, shall have been decided,—which Point of Order he then stated to be,—as to the competency of the Committee to entertain the following Amendment in Clause 13 of the Bill, viz :—

Line 15. *After "Act" insert "and not being under application for purchase at auction by persons who have paid or tendered at the time of application a deposit of ten shillings per acre for the land applied for,"*

inasmuch as it involved a question of Money.

Debate ensued ;—

And Mr. Holden, in the course of the Debate, having risen to address the House a second time,—

And objection being taken thereto,—

The President ruled, That according to the Practice of Parliament it was not competent for an Honorable Member to speak more than once to a Point of Order.

Debate continued.

The President gave it as his opinion, That in accordance with the Precedents contained in Hatsell, Vol. 3, and in the 4th edition of May, in respect to Bills of a similar nature, this Bill must be taken to be a Money Bill ; and although it could not be doubted that, under Section 1 of the Constitution Act, the power of dealing with such Bills in any way whatsoever, subject to the proviso contained in the said Clause, is granted to the Council, nevertheless as under the 1st Section of the Standing Orders it is laid down that "in all cases not hereinafter provided for, resort shall be had to the Rules, Forms, and Practice of the Upper House of the Imperial Parliament," and as the Practice of that House, in reference to such Bills, has been of late years not to insist upon their right to alter or amend the same, it was not competent for the Committee to entertain the proposed Amendment ;—

Whereupon the Committee resumed.

The Chairman reported Progress, and obtained leave to sit again To-morrow.

7. Chinese Immigration :—Mr. Macarthur moved, pursuant to notice, That the Petition presented by him on the 18th ultimo, from certain Inhabitants of Sydney, praying the enactment of such measures, to remedy the evil of Chinese Immigration, as to the House may seem meet, be printed.

Question put and passed.

Ordered to be printed.

8. Tomago Coal Mining Company's Incorporation Bill :—Mr. Deas Thomson moved, pursuant to notice,—

(1.) That the Tomago Coal Mining Company's Incorporation Bill be referred to a Select Committee.

(2.) That such Committee consist of the following Members, viz. :—Mr. Holden, Mr. Merewether, The Attorney General, Mr. Allen, Mr. Darvall, Q.C., Mr. Macarthur, and the Mover.

Question put and passed.

The House adjourned at twenty-eight minutes before Eleven o'clock, until To-morrow at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, OCTOBER 2.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Crown Lands Occupation Bill; Second Reading.
2. Property Law and Trustees Relief Bill; Second Reading.
3. Crown Lands Alienation Bill; to be further considered in Committee.

GENERAL BUSINESS—NOTICE OF MOTION:—

1. MR. CAMPBELL to move, That the Petition from certain Inhabitants of the Paddington Electorate, praying the House to pass such measures as will remedy the evils attendant on the Immigration of the Chinese to this Colony, presented by him on the 25th ultimo, be printed.

ORDER OF THE DAY:—

1. Judicial and other Offices Qualification Amendment Bill; Second Reading.

WEDNESDAY, OCTOBER 9.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. THE ATTORNEY-GENERAL to move for leave to bring in a Bill to ascertain and declare Titles to Land.
2. THE ATTORNEY GENERAL to move for leave to bring in a Bill to facilitate the Transfer of Land.

ORDER OF THE DAY:—

1. Chinese Immigrants Regulation and Restriction Bill; Second Reading.

GENERAL BUSINESS—ORDER OF THE DAY:—

1. Governor's Salary Bill; Second Reading.

For R. O'CONNOR,
Clerk of the Legislative Council.
 JOHN J. CALVERT,
Clerk Assistant.

No. 8.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 2 OCTOBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-five minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,

The Honorable George Allen,
The Honorable Edward Butler,
The Honorable William Byrnes,
The Honorable John Campbell,
The Honorable Robert Fitzgerald,
The Honorable John Fletcher Hargrave,
The Honorable George Kenyon Holden,
The Honorable Charles Kemp,
The Honorable Alexander Macarthur,
The Honorable John Macfarlane,
The Honorable Sir William Montagu
Manning, Knight, Q.C.,

The Honorable Francis Lewis Shaw
McCrewether,
The Honorable James Mitchell,
The Honorable John Hubert Plunkett, Q.C.,
The Honorable John Robertson,
The Honorable Ralph Mayer Robey,
The Honorable Bourn Russell,
The Honorable William Russell,
The Honorable Edward Deas Thomson, C.B.,
The Honorable Edward Wolstenholme
Ward, Captain, R.E.,
The Honorable John Brown Watt.

2. Crown Lands Occupation Bill :—The Secretary for Lands moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time ;—
Ordered, That the Committal of this Bill stand an Order of the Day for to-morrow.
3. Gold Fields Bill :—The President reported the following Message from the Legislative Assembly :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to amend the Laws relating to the Gold Fields*," presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 1st October, 1861.*

T. A. MURRAY,
Speaker.

Bill, on motion of the Secretary for Lands, read a first time ;—

Ordered, That the second reading stand an Order of the Day for Wednesday next, and that the Bill, in the meantime, be printed.

4. Postponements :—

(1.) Property Law and Trustees Relief Bill :—The second reading of this Bill postponed, on motion of the Attorney General, until to-morrow.

(2.) Crown Lands Alienation Bill :—The further consideration in Committee of this Bill postponed, on motion of the Secretary for Lands, until to-morrow.

(3.) Mr. Campbell postponed the motion standing in his name on the Notice Paper for to-day, until to-morrow.

(4.) Judicial and other Offices Qualification Amendment Bill :—The second reading of this Bill postponed, on motion of Mr. Butler, until to-morrow.

The House adjourned at eight minutes before Seven o'clock, until To-morrow at Four o'clock.

NOTICES

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, OCTOBER 3.

GENERAL BUSINESS—NOTICE OF MOTION:—

1. MR. CAMPBELL to move, That the Petition from certain Inhabitants of the Paddington Electorate, praying the House to pass such measures as will remedy the evils attendant on the Immigration of the Chinese to this Colony, presented by him on the 25th ultimo, be printed.

ORDER OF THE DAY:—

1. Judicial and other Offices Qualification Amendment Bill; Second Reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Crown Lands Occupation Bill; to be considered in Committee.
 2. Property Law and Trustees Relief Bill; Second Reading.
 3. Crown Lands Alienation Bill; to be further considered in Committee.
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WEDNESDAY, OCTOBER 9.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. THE ATTORNEY GENERAL to move for leave to bring in a Bill to ascertain and declare Titles to Land.
2. THE ATTORNEY GENERAL to move for leave to bring in a Bill to facilitate the Transfer of Land.

ORDERS OF THE DAY:—

1. Chinese Immigrants Regulation and Restriction Bill; Second Reading.
2. Gold Fields Bill; Second Reading.

GENERAL BUSINESS—ORDER OF THE DAY:—

1. Governor's Salary Bill; Second Reading.

For R. O'CONNOR,

Clerk of the Legislative Council.

JOHN J. CALVERT,

Clerk Assistant

No. 9.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 3 OCTOBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-eight minutes after Four o'clock.

Members Present :—

<p>The Honorable William Charles Wentworth, President, The Honorable George Allen, The Honorable Edward Butler, The Honorable William Byrnes, The Honorable John Campbell, The Honorable Samuel Deane Gordon, The Honorable George Kenyon Holden, The Honorable Charles Kemp, The Honorable Alexander Macarthur, The Honorable John Macfarlane, The Honorable Sir William Montagu Manning, Knight, Q.C., The Honorable Francis Lewis Shaw Merewether,</p>	<p>The Honorable James Mitchell, The Honorable John Hubert Plunkett, Q.C., The Honorable John Robertson, The Honorable Ralph Mayer Robey, The Honorable Bourn Russell, The Honorable William Russell, The Honorable Edward Deas Thomson, C.B., The Honorable Edward Wolstenholme Ward, Captain, R.E., The Honorable John Brown Watt.</p>
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2. The Chinese :—Mr. Campbell presented a Petition from certain Inhabitants of the Glebe and Balmain Electorate, representing the expediency of preventing the Chinese from digging for gold, and of imposing a Tax upon their landing in this Colony, and praying consideration of the said Petition.
Petition received.
3. Tomago Coal Mining Company's Incorporation Bill :—
(1.) Mr. Deas Thomson, as Chairman, brought up the Report from, and laid upon the Table the Minutes of the Proceedings of, and the Evidence taken before, the Select Committee, for whose consideration this Bill was referred on the 1st instant.
Ordered to be printed.
(2.) Mr. Deas Thomson then moved, That the second reading of this Bill stand an Order of the Day for Thursday next.
Question put and passed.
4. Chinese Immigration :—Mr. Campbell moved, pursuant to notice, That the Petition from certain Inhabitants of the Paddington Electorate, praying the House to pass such measures as will remedy the evils attendant on the Immigration of the Chinese to this Colony, presented by him on the 25th ultimo, be printed.
Question put and passed.
Ordered to be printed.
5. Postponements :—
(1.) Judicial and other Offices Qualification Amendment Bill :—The Second Reading of this Bill further postponed, on motion of the Secretary for Lands, until Wednesday next.
(2.) Crown Lands Occupation Bill :—The consideration in Committee of this Bill postponed, on motion of the Secretary for Lands, until after the Order for the further consideration in Committee of the Crown Lands Alienation Bill shall have been disposed of.
(3.) Property Law and Trustees Relief Bill :—The Second Reading of this Bill further postponed, on motion of the Secretary for Lands, until Wednesday next.

6. Crown Lands Alienation Bill:—Upon the Order of the Day being read, the President 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;—
Ordered, That the Adoption of the Report stand an Order of the Day for Wednesday next.
7. Postponement—Crown Lands Occupation Bill:—The consideration in Committee of this Bill further postponed, on motion of the Secretary for Lands, until Wednesday next.
The House adjourned at twenty minutes after Eight o'clock, until Wednesday next, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, OCTOBER 9.

Question:—

1. SIR W. M. MANNING to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to lay upon the Table of this House, and when, the Reports which have been received on the subject of the introduction of Salmon in the waters of this Colony?

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. THE ATTORNEY GENERAL to move for leave to bring in a Bill to ascertain and declare Titles to Land.
2. THE ATTORNEY GENERAL to move for leave to bring in a Bill to facilitate the Transfer of Land.

ORDERS OF THE DAY:—

1. Chinese Immigrants Regulation and Restriction Bill; Second Reading.
2. Gold Fields Bill; Second Reading.
3. Property Law and Trustees Relief Bill; Second Reading.
4. Crown Lands Alienation Bill Reported; Adoption of the Report.
5. Crown Lands Occupation Bill; to be considered in Committee.

GENERAL BUSINESS—NOTICE OF MOTION:—

1. MR. CAMPBELL to move, That the Petition presented by him on the 3rd instant, from certain Inhabitants of the Glebe and Balmain Electorate, representing the expediency of preventing the Chinese from digging for Gold, and of imposing a Tax upon their landing in this Colony, and praying consideration of the said Petition, be printed.

ORDERS OF THE DAY:—

1. Governor's Salary Bill; Second Reading.
2. Judicial and other Offices Qualification Amendment Bill; Second Reading.

THURSDAY, OCTOBER 10.

GENERAL BUSINESS—ORDER OF THE DAY:—

1. Tomago Coal Mining Company's Incorporation Bill; Second Reading.

For R. O'CONNOR,

Clerk of the Legislative Council.

JOHN J. CALVERT,

Clerk Assistant.

No. 10.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 9 OCTOBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-eight minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,	The Honorable Francis Lewis Shaw
The Honorable George Allen,	Merewether,
The Honorable Edward Butler,	The Honorable James Mitchell,
The Honorable William Byrnes,	The Honorable John Hubert Plunkett, Q.C.,
The Honorable John Campbell,	The Honorable John Robertson,
The Honorable John Bayley Darvall, Q.C.,	The Honorable Ralph Mayer Robey,
The Honorable Samuel Deane Gordon,	The Honorable Bourn Russell,
The Honorable John Fletcher Hargrave,	The Honorable William Russell,
The Honorable George Kenyon Holden,	The Honorable Edward Deas Thomson, C.B.,
The Honorable Charles Kemp,	The Honorable Edward Wolstenholme
The Honorable Alexander Macarthur,	Ward, Captain, R.E.,
The Honorable John Macfarlane,	The Honorable John Brown Watt.
The Honorable Sir William Montagu Manning, Knight, Q.C.,	

2. Papers :—The Secretary for Lands laid upon the Table the undermentioned Papers :—

(1.) *By Command*—An account of the Population in the several Police Districts of the Colony of New South Wales, on the 7th April, 1861, distinguishing the Natives of China.

(2.) *Under 17 Victoria, No. 28*—Account of Receipts and Expenditure on account of Building the University, for the year 1860.

Ordered to be printed.

3. Assisted Immigration :—Sir W. M. Manning having, by leave of the House, asked the Secretary for Lands,—Whether he has instructed the Emigration Commissioners in England not to act upon a Certificate granted by the Immigration Agent in Sydney to Mr. Arthur Hodgson, for the introduction of laborers from the United Kingdom; and, if so, at what time he sent such instructions; and on what grounds they were given?—

The Secretary for Lands replied,—We have instructed the Emigration Commissioners in England not to act upon a Certificate granted by the Immigration Agent in Sydney to Mr. Arthur Hodgson, for the introduction of laborers from the United Kingdom; we did this by the last mail; and the grounds on which we did it were, that the money had been improperly received, and the matter improperly entered upon, contrary to the Regulations, by the Clerk of the Department.

In reply to a further question, put by Sir W. M. Manning,—The Secretary for Lands stated that the Certificate had been granted contrary to the Regulations, inasmuch as the Regulations provide that the intending Immigrants shall be nominated in this Colony, and in this case they were not so nominated.

4. Introduction of Salmon into the Waters of the Colony :—Sir W. M. Manning having, pursuant to notice, asked the Secretary for Lands,—Whether it is the intention of the Government to lay upon the Table of this House, and when, the Reports which have been received on the subject of the introduction of Salmon in the waters of this Colony?—

The Secretary for Lands replied,—The Report will be laid upon the Table of the House, and probably during the present week.

5. Land Titles Declaration Bill:—The Attorney-General moved, pursuant to notice, for leave to bring in a Bill to ascertain and declare Titles to Land.
Question put and passed;—
And the Attorney-General having presented this Bill, Bill, intituled, "*A Bill to ascertain and declare Titles to Land*," read a first time;—
Ordered, That the second reading stand an Order of the Day for this day week, and that the Bill, in the meantime, be printed.
6. Land Transfer and Registry Bill:—The Attorney-General moved, pursuant to notice, for leave to bring in a Bill to facilitate the Transfer of Land.
Question put and passed;—
And the Attorney-General having presented this Bill, Bill, intituled, "*A Bill to facilitate the Transfer of Land*," read a first time;—
Ordered, That the second reading stand an Order of the Day for this day week, and that the Bill, in the meantime, be printed.
7. Postponements:—
(1.) The Second Reading of the Chinese Immigrants Regulation and Restriction Bill postponed, on motion of the Secretary for Lands, until the fifth Order on the Paper of Government Business for to-day shall have been disposed of.
(2.) The Second Reading of the Gold Fields Bill postponed, on motion of the Secretary for Lands, until the foregoing Order shall have been disposed of.
(3.) The Second Reading of the Property Law and Trustees Relief Bill postponed, on motion of the Attorney-General, until the foregoing Order shall have been disposed of.
(4.) The Adoption of the Report from the Committee of the Whole Council of the Crown Lands Alienation Bill postponed, on motion of the Secretary for Lands, until the foregoing Order shall have been disposed of.
8. Crown Lands Occupation Bill:—On motion of the Secretary for Lands, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.
The Chairman reported Progress, and obtained leave to sit again To-morrow.
9. Chinese Immigrants Regulation and Restriction Bill:—The Secretary for Lands moved, That this Bill be now read a second time!
Debate ensued.
Question put and passed.
Bill read a second time;—
Ordered, That the Committal of this Bill stand an Order of the Day for this day week.
10. Gold Fields Bill, having, on motion of the Secretary for Lands, been read a second time;—
Ordered, That the Committal of this Bill stand an Order of the Day for this day week.
11. Postponements:—
(1.) The Second Reading of the Property Law and Trustees Relief Bill further postponed, on motion of the Attorney General, until this day week.
(2.) The Adoption of the Report from the Committee of the Whole Council of the Crown Lands Alienation Bill further postponed, on motion of the Secretary for Lands, until to-morrow.
12. The Chinese:—Mr. Campbell moved, pursuant to notice, That the Petition presented by him on the 3rd instant, from certain Inhabitants of the Glebe and Balmain Electorate, representing the expediency of preventing the Chinese from digging for Gold, and of imposing a Tax upon their landing in this Colony, and praying consideration of the said Petition, be printed.
Question put and passed.
Ordered to be printed.
13. Postponement:—The Second Reading of the Governor's Salary Bill postponed, on motion of Mr. Gordon, until to-morrow.
14. Judicial and other Offices Qualification Amendment Bill:—Mr. Butler moved, That this Bill be now read a second time.
Debate of the Question adjourned, on motion of Mr. Kemp, until this day week.
The House adjourned at twenty minutes before Eleven o'clock, until To-morrow, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, OCTOBER 10.

Questions:—

1. SIR W. M. MANNING to ask THE SECRETARY FOR LANDS,—Whether the Notice on the subject of assisted Immigration, appearing in the *Government Gazette*, as an Order of the Governor and Executive Council, under the date of 21st June, 1861, and certain printed Forms, marked A and B,—the first purporting to be a form "to be used when the persons intended to be introduced are to be nominated in the Colony,"—and the latter purporting to be a form "to be used when the persons intended to be introduced are to be nominated in the United Kingdom," were issued under the authority of the Governor and Executive Council.

2. MR. GORDON *to ask* THE SECRETARY FOR LANDS,—

(1.) When the Government intend introducing a Bill for the re-construction of this House on an Elective Basis?

(2.) And whether it is the intention of the Government to introduce the Bill first in this House, or in the other branch of the Legislature?

GENERAL BUSINESS—NOTICE OF MOTION:—

1. SIR W. M. MANNING to move, That there be laid upon the Table of this House, a Copy of all correspondence between the Government or any of its officers with Mr. Hodgson and the Land Emigration Commissioners in England, on the subject of the introduction of certain laborers under the Regulations of the 21st June, 1861, with a copy of such Regulations, and of the Forms of Application, marked A and B respectively, to be used when the persons to be introduced are to be nominated in the Colony or in the United Kingdom.

ORDERS OF THE DAY:—

1. Tomago Coal Mining Company's Incorporation Bill; Second Reading.
2. Governor's Salary Bill; Second Reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Crown Lands Occupation Bill; to be further considered in Committee.
2. Crown Lands Alienation Bill Reported; Adoption of the Report.

WEDNESDAY, OCTOBER 16.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Land Titles Declaration Bill: Second Reading.
2. Land Transfer and Registry Bill; Second Reading.
3. Chinese Immigrants Regulation and Restriction Bill; To be considered in Committee.
4. Gold Fields Bill; To be considered in Committee.
5. Property Law and Trustees Relief Bill; Second Reading.

GENERAL BUSINESS—ORDER OF THE DAY:—

1. Judicial and other Offices Qualification Amendment Bill; Resumption of the Adjourned Debate of the Question, on motion of Mr. Butler, "That this Bill be now read a "second time."

THURSDAY, OCTOBER 17.

GENERAL BUSINESS—NOTICE OF MOTION:—

1. MR. DEAS THOMSON to move, That the Question relating to the Powers of this House, in respect of Money Bills, be referred for the consideration and report of the Standing Orders Committee.

R. O'CONNOR,
Clerk of the Legislative Council.

No. 11.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 10. OCTOBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-three minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,	The Honorable Francis Lewis Shaw
The Honorable George Allen,	Merewether,
The Honorable Edward Butler,	The Honorable James Mitchell,
The Honorable William Byrnes,	The Honorable John Hubert Plunkett, Q.C.,
The Honorable John Campbell,	The Honorable John Robertson,
The Honorable John Bayley Darvall, Q.C.,	The Honorable Ralph Mayer Robey,
The Honorable Samuel Deane Gordon,	The Honorable Bourn Russell,
The Honorable John Fletcher Hargrave,	The Honorable William Russell,
The Honorable George Kenyon Holden,	The Honorable Edward Deas Thomson, C.B.,
The Honorable Charles Kemp,	The Honorable Edward Wolstenholme
The Honorable Alexander Macarthur,	Ward, Captain, R.E.,
The Honorable John Macfarlane,	The Honorable John Brown Watt.
The Honorable Sir William Montagu Manning, Knight, Q.C.,	

2. Assisted Immigration :—Mr. Darvall, on behalf of Sir W. M. Manning, having, by leave of the House, asked the Secretary for Lands, pursuant to notice given by Sir W. M. Manning,—Whether the Notice on the subject of assisted Immigration, appearing in the *Government Gazette*, as an Order of the Governor and Executive Council, under the date of 21st June, 1861, and certain printed Forms, marked A and B,—the first purporting to be a form “to be used when the persons intended to be introduced are to be nominated in the Colony,”—and the latter purporting to be a form “to be used when the persons intended to be introduced are to be nominated in the United Kingdom,” were issued under the authority of the Governor and Executive Council?—

The Secretary for Lands replied,—

- (1.) The Notice dated 21st June, 1861, relating to Assisted Immigration, was issued under the authority of the Governor and Executive Council.
 - (2.) The forms alluded to were not issued under such authority. They do not form any part of the notice in question, and never appeared in the *Gazette*.
 - (3.) The Notice of 21st June, 1861, clearly implies on the face of it, that the immigrants to be introduced thereunder are to be nominated in the Colony. The general object aimed at, it is well known, was to assist industrious persons in the Colony to bring out their friends, being of the laboring classes. Upon the issue of that Notice the Acting Immigration Agent was directed to prepare a letter of Instructions to the various Clerks of Petty Sessions, and, in so doing, that Officer, under the mistaken idea that the Regulations were merely a revival of those previously in existence, introduced the so called form B, clearly at variance with the spirit of the Notice. And the Instructions thus prepared passed through the Department of Lands without the discrepancy being detected. That the Public however has not been misled, or at least misled to any extent, is evidenced by the fact, that throughout the whole Colony, only three deposits have been lodged of this kind, besides Mr. Hodgson's, and these for small sums.
3. Postponement :—Mr. Gordon postpone the Questions standing in his name second on the Notice Paper for to-day, until the next day of sitting.

4. **Additional Day for dispatch of Business**:—The Secretary for Lands, by leave of the House, moved, without previous *formal* notice,—That this House meet on to-morrow, the 11th instant, at Four o'clock, P.M., and that Government Business take precedence of General Business on that day.
Question put and passed.
5. **Assisted Immigration**:—Sir W. M. Manning moved, pursuant to notice, *by leave amended*,—That there be laid upon the Table of this House, a Copy of all correspondence between the Government or any of its officers and Mr. Hodgson and the Land and Emigration Commissioners in England, on the subject of the introduction of certain laborers under the Regulations of the 21st June, 1861, with a copy of such Regulations, and of the Forms of Application, marked A and B respectively, to be used when the persons to be introduced are to be nominated in the Colony or in the United Kingdom, and Instructions of the Government to the Immigration Agent, and Clerks of Petty Sessions for carrying out such Regulations, and all Papers relating to the application for the introduction of Immigrants by the Venerable Archdeacon McEnroe, and all official Minutes relating to the said matters.
Debate ensued.
And a Debate arising on the Point of Order,—whether it is competent for an Honorable Member, in course of his reply, to refer to matter not before alluded to in the Debate,—
And the President ruling, That it is not in Order to import new matter into a reply,—
Debate of the Original Question continued.
Question put and passed.
6. **Tomago Coal Mining Company's Incorporation Bill**:—Mr. Deas Thomson moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time;—
Ordered, That the Committal of this Bill stand an Order of the Day for to-morrow.
7. **Governor's Salary Bill**:—Mr. Gordon moved, That this Bill be now read a second time.
Debate ensued.
Question put.
The House divided.
- | | |
|--|---|
| Ayes, 2. | Noes, 18. |
| <div style="display: flex; align-items: center;"> <div style="margin-right: 10px;"> Mr. Campbell,
Mr. Gordon, </div> <div style="font-size: 2em;">}</div> <div>Tellers.</div> </div> | <div style="display: flex; align-items: center;"> <div style="margin-right: 10px;"> Mr. Robertson,
Mr. Hargrave,
Mr. Holden,
Sir W. M. Manning, Knt. Q.C.,
Capt. Ward, R.E.,
Mr. Merewether,
Mr. Watt,
Mr. W. Russell,
Dr. Macfarlane, </div> <div style="font-size: 2em;">}</div> <div style="margin-right: 10px;"> Mr. Mitchell,
Mr. Byrnes,
Mr. Kemp,
Mr. Plunkett, Q.C.,
Mr. Macarthur,
Mr. B. Russell,
Mr. Allen,
Mr. Butler,
Mr. Deas Thomson, C.B., </div> <div style="font-size: 2em;">}</div> <div>Tellers.</div> </div> |
8. **Crown Lands Occupation Bill**:—Upon the Order of the Day being read, the President 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.
9. **Postponement**:—The Adoption of the Report from the Committee of the Whole Council of the Crown Lands Alienation Bill further postponed, on motion of the Secretary for Lands, until To-morrow.
The House adjourned at seventeen minutes after Ten o'clock, until To-morrow, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, OCTOBER 11.

Questions:—

1. **MR. GORDON to ask THE SECRETARY FOR LANDS**,—
(1.) When the Government intend introducing a Bill for the re-construction of this House on an Elective Basis?
(2.) And whether it is the intention of the Government to introduce the Bill first in this House, or in the other branch of the Legislature?

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Crown Lands Occupation Bill; to be further considered in Committee.
2. Crown Lands Alienation Bill Reported; Adoption of the Report.

GENERAL BUSINESS—ORDER OF THE DAY:—

1. Tomago Coal Mining Company's Incorporation Bill; to be considered in Committee.

WEDNESDAY,

WEDNESDAY, OCTOBER 16.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Land Titles Declaration Bill ; Second Reading.
2. Land Transfer and Registry Bill ; Second Reading.
3. Chinese Immigrants Regulation and Restriction Bill ; To be considered in Committee.
4. Gold Fields Bill ; To be considered in Committee.
5. Property Law and Trustees Relief Bill ; Second Reading.

GENERAL BUSINESS—ORDER OF THE DAY :—

1. Judicial and other Offices Qualification Amendment Bill ; Resumption of the Adjourned Debate of the Question, on motion of Mr. Butler, "That this Bill be now read a second time."

THURSDAY, OCTOBER 17.

GENERAL BUSINESS—NOTICE OF MOTION :—

1. MR. DEAS THOMSON to move, That the Question relating to the Powers of this House, in respect of Money Bills, be referred for the consideration and report of the Standing Orders Committee.

R. O'CONNOR,

Clerk of the Legislative Council.

No. 12.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 11 OCTOBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-five minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President.

The Honorable George Allen,
The Honorable Edward Butler,
The Honorable William Byrnes,
The Honorable Samuel Deane Gordon,
The Honorable John Fletcher Hargrave,
The Honorable George Kenyon Holden,
The Honorable Charles Kemp,
The Honorable Alexander Macarthur,
The Honorable John Macfarlane,
The Honorable Sir William Montagu
Manning, Knight, Q.C.,

The Honorable Francis Lewis Shaw
Mereuother,
The Honorable James Mitchell,
The Honorable John Hubert Plunkett, Q.C.,
The Honorable John Robertson,
The Honorable Ralph Mayer Robey,
The Honorable Bourn Russell,
The Honorable William Russell,
The Honorable Edward Deas Thomson, C.B.,
The Honorable Edward Wolstenholme
Ward, Captain, R.E.

2. Re-construction of Legislative Council on Elective Basis :—Mr. Gordon having, pursuant to notice, asked the Secretary for Lands,—
(1.) When the Government intend introducing a Bill for the re-construction of this House on an Elective Basis?—
(2.) And whether it is the intention of the Government to introduce the Bill first in this House, or in the other branch of the Legislature?—
The Secretary for Lands replied,—It is the intention of the Government to introduce a Bill of the kind the Honorable Member describes, during this Session, and in this House.
3. Crown Lands Occupation Bill :—Upon the Order of the Day being read, the President left the Chair, and the House resolved itself into a Committee of the Whole, for the further consideration of this Bill.
The Chairman 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.
The Chairman then stated the Point of Order as follows,—
A Motion being made to amend Clause 16 by the insertion before the word "cancel," in line 33, of the words "on completion of such sale," objection was taken to the proposed Amendment, on the ground that it would alter the conditions of sale proposed by the Assembly,—
And the President ruling that the proposed Amendment would, in his opinion, be a direct interference with the money portion of the Bill, inasmuch as it would defeat the intention of the Assembly to leave it to the option of purchasers to pay at once or at the end of three years, and therefore that it was not competent for the Committee to entertain it,—
The Committee resumed.
The Chairman having reported the Bill with Amendments,—
Ordered, That the Adoption of the Report stand an Order of the Day for Wednesday next.
4. Crown Lands Alienation Bill Reported :—The Secretary for Lands moved, "That" the Report of this Bill from the Committee of the Whole Council be now adopted.
The

The Attorney-General moved, That the Question be amended by the omission of all the words thereof following the word "That" at the commencement, in order to the insertion in their place of the words and figures, "this Bill be now re-committed, with a view to the further consideration of Clauses 1, 2, 13, 17, and 18."

Debate ensued.

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

The House divided.

Ayes, 3.

Mr. Mitchell,
Sir W. M. Manning, Knt. Q.C.,
Mr. Deas Thomson, C.B., } Tellers.

Nocs, 10.

Mr. Robertson, Mr. Plunkett, Q.C.,
Mr. Butler, Mr. B. Russell,
Mr. Holden, Mr. Kemp,
Mr. Allen, Mr. Hargrave, } Tellers.
Mr. W. Russell, Dr. Macfarlane,

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

Question,—That this Bill be now re-committed, with a view to the further consideration of Clauses 1, 2, 13, 17 and 18,—put and passed;—

Whereupon the President left the Chair and the House resolved itself into a Committee of the Whole accordingly.

The Chairman having reported the Bill with further Amendments;—

Ordered, That the Adoption of the Report 2^d stand an Order of the Day for Wednesday next.

5. Members' attendance upon Select Committees of the Legislative Assembly:—The President reported the following Messages from the Legislative Assembly:—

(1.) MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee "to inquire into and report upon the adequacy of the provision made for the Destitute through the instrumentality of the Sydney Benevolent Society," and that Committee being desirous to examine the Honorable George Allen, Esquire, Member of the Legislative Council, in reference thereto, requests 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, 11th October, 1861.

T. A. MURRAY,

Speaker.

The Secretary for Lands moved; That the Honorable George Allen have leave to attend and give evidence accordingly, if he think fit.

Question put and passed;—

Whereupon the Secretary for Lands moved, That the following Message be carried to the Legislative Assembly:—

MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated the 11th instant, 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 "to inquire into and report upon the adequacy of the provision made for the Destitute through the instrumentality of the Sydney Benevolent Society," 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, October, 1861.

President.

Question put and passed.

(2.) MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee "to consider and report upon the Claims of Mr. A. E. Bush," and that Committee being desirous to examine the Honorable Edward Deas Thomson, Esquire, C.B., and the Honorable Francis Lewis Shaw Merewether, Esquire, Members of the Legislative Council, in reference thereto, requests that the Legislative Council will give leave to its said Members to attend accordingly, on such day and days as shall be arranged between them and the said Committee.

Legislative Assembly Chamber,

Sydney, 11 October, 1861.

T. A. MURRAY,

Speaker.

The Secretary for Lands moved, That the Honorable Edward Deas Thomson, and the Honorable Francis Lewis Shaw Merewether, have leave to attend and give evidence accordingly, if they think fit.

Question put and passed;—

Whereupon the Secretary for Lands moved, That the following Message be carried to the Legislative Assembly:—

MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated the 11th instant, requesting leave for the Honorable Edward Deas Thomson, C.B., and the Honorable Francis Lewis Shaw Merewether, Members of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly, "to consider and report upon the Claims of Mr. A. E. Bush," 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, October, 1861.

President.

Question put and passed.

6. Tomago Coal Mining Company's Incorporation Bill:—On motion of Mr. Deas Thomson, the President 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 without Amendment, and the House having adopted the Report;—
Ordered, That the third reading of this Bill stand an Order of the Day for the next day of sitting.
The House adjourned at eight minutes before Ten o'clock, until Wednesday next, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, OCTOBER 16.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Land Titles Declaration Bill; Second Reading.
2. Land Transfer and Registry Bill; Second Reading.
3. Chinese Immigrants Regulation and Restriction Bill; To be considered in Committee.
4. Gold Fields Bill; To be considered in Committee.
5. Property Law and Trustees Relief Bill; Second Reading.
6. Crown Lands Occupation Bill Reported; Adoption of the Report.
7. Crown Lands Alienation Bill Reported, 2^o; Adoption of the Report.

GENERAL BUSINESS—ORDERS OF THE DAY:—

1. Judicial and other Offices Qualification Amendment Bill; Resumption of the Adjourned Debate of the Question, on motion of Mr. Butler, "That this Bill be now read a second time."
2. Tomago Coal Mining Company's Incorporation Bill; Third Reading.

THURSDAY, OCTOBER 17.

GENERAL BUSINESS—NOTICE OF MOTION:—

1. MR. DEAS THOMSON to move, That the Question relating to the Powers of this House, in respect of Money Bills, be referred for the consideration and report of the Standing Orders Committee.

R. O'CONNOR,

Clerk of the Legislative Council.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 16 OCTOBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-eight minutes after Four o'clock.

Members Present:—

The Honorable William Charles Wentworth, President,

The Honorable George Allen,
The Honorable Edward Butler,
The Honorable William Byrnes,
The Honorable John Campbell,
The Honorable John Bayley Darvall, Q.C.,
The Honorable John Fletcher Hargrave,
The Honorable George Kenyon Holden,
The Honorable Charles Kemp,
The Honorable Alexander Macarthur,
The Honorable John Macfarlane,
The Honorable Sir William Montagu
Manning, Knight, Q.C.,

The Honorable Francis Lewis Shaw
Merewether,
The Honorable James Mitchell,
The Honorable John Hubert Plunkett, Q.C.,
The Honorable John Robertson,
The Honorable Ralph Mayer Robey,
The Honorable Bourn Russell,
The Honorable William Russell,
The Honorable Edward Deas Thomson, C.B.,
The Honorable Edward Wolstenholme
Ward, Captain, R.E.,
The Honorable John Brown Watt.

2. Paper:—The Secretary for Lands laid upon the Table, Return to the Address, on the subject of the appointments and resignations, on 10th May, 1861, of certain Members of the late Legislative Council, adopted, on motion of Mr. Merewether, on 26th September last.
Ordered to be printed.
3. Postponements:
(1.) The Attorney General moved,—That the Second Reading of the Land Titles Declaration Bill be postponed until the seventh Order on the Paper of Government Business for to-day shall have been disposed of.
Debate ensued.
Question put and passed.
(2.) The Second Reading of the Land Transfer and Registry Bill postponed, on motion of the Attorney General, until the foregoing Order shall have been disposed of.
(3.) The Committal of the Chinese Immigrants Regulation and Restriction Bill postponed, on motion of the Secretary for Lands, until the foregoing Order shall have been disposed of.
(4.) The Committal of the Gold Fields Bill postponed, on motion of the Secretary for Lands, until the foregoing Order shall have been disposed of.
(5.) The Second Reading of the Property Law and Trustees Relief Bill postponed, on motion of the Attorney General, until the foregoing Order shall have been disposed of.
4. Crown Lands Occupation Bill Reported:—The Report of this Bill from the Committee of the Whole Council having been adopted, on motion of the Secretary for Lands;—
Ordered, That the third reading of this Bill stand an Order of the Day for To-morrow, with precedence over General Business.
5. Crown Lands Alienation Bill Reported 2^o:—The Report 2^o of this Bill from the Committee of the Whole Council having been adopted, on motion of the Secretary for Lands;—
Ordered, That the third reading of this Bill stand an Order of the Day for To-morrow, with precedence next after the Crown Lands Occupation Bill.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, OCTOBER 17.

Contingent Notices of Motion :—

1. THE SECRETARY FOR LANDS to move, (*upon the Order of the Day for the Third Reading of the Crown Lands Occupation Bill being read,*) That so much of the Standing Orders be suspended as would preclude the passing of the Crown Lands Occupation Bill through all its remaining stages in one day.
2. THE SECRETARY FOR LANDS to move, (*upon the Order of the Day for the Third Reading of the Crown Lands Alienation Bill being read,*) That so much of the Standing Orders be suspended as would preclude the passing of the Crown Lands Alienation Bill through all its remaining stages in one day.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Crown Lands Occupation Bill ; Third Reading.
2. Crown Lands Alienation Bill ; Third Reading.

GENERAL BUSINESS—NOTICE OF MOTION :—

1. MR. DEAS THOMSON to move, That the Question relating to the Powers of this House, in respect of Money Bills, be referred for the consideration and report of the Standing Orders Committee.

ORDER OF THE DAY :—

1. Tomago Coal Mining Company's Incorporation Bill ; Third Reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Chinese Immigrants Regulation and Restriction Bill Reported ; Adoption of the Report.
2. Gold Fields Bill ; To be considered in Committee.
3. Property Law and Trustees Relief Bill ; Second Reading.

GENERAL BUSINESS—ORDER OF THE DAY :—

1. Judicial and other Offices Qualification Amendment Bill ; Resumption of the Adjourned Debate of the Question, on motion of Mr. Butler, "That this Bill be now read a "second time."

R. O'CONNOR,

Clerk of the Legislative Council.

No. 14.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 17 OCTOBER, 1861.

1. The House met, pursuant to adjournment. The President took the Chair at twenty-nine minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,

The Honorable George Allen,
 The Honorable Edward Butler,
 The Honorable William Byrnes,
 The Honorable John Campbell,
 The Honorable Samuel Deane Gordon,
 The Honorable John Fletcher Hargrave,
 The Honorable George Kenyon Holden,
 The Honorable Charles Kemp,
 The Honorable Alexander Macarthur,
 The Honorable John Macfarlane,
 The Honorable Sir William Montagu
 Manning, Knight, Q.C.,

The Honorable Francis Lewis Slaw
 Marewether,
 The Honorable James Mitchell,
 The Honorable John Hubert Plunkett, Q.C.,
 The Honorable John Robertson,
 The Honorable Ralph Mayer Robey,
 The Honorable Bourn Russell,
 The Honorable William Russell,
 The Honorable Edward Deas Thomson, C.B.,
 The Honorable Edward Wolstenholme
 Ward, Captain, R.E.,
 The Honorable John Brown Watt.

2. Papers :—The Secretary for Lands laid upon the Table the undermentioned Papers,—
 (1.), Letters Nos. 1 & 2 from the New South Wales Emigration Commissioners, dated London, 24th August, 1861.
 (2.) *By Command*—Report of the Denominational School Board for the year 1860.
 (3.) *By Command*—Report of the Commissioners of National Education in New South Wales for the year 1860.
 (4.) Despatch from the Secretary of State, dated 12th August, 1861, in answer to the Address of this House, in reference to the Title of "Governor General," adopted, on motion of the Secretary for Lands, on 9th May, 1861.
 Ordered, to be printed.
3. Crown Lands, Occupation Bill :—
 (1.) Upon the Order, of, the Day, for the third reading of this Bill being read, the Secretary for Lands moved, pursuant to *Contingent* notice, That so much of the Standing Orders, be suspended, as would preclude the passing of the Crown Lands Occupation Bill through all its remaining stages in one day.
 Question put and passed.
 (2.) The Secretary for Lands then moved, That this Bill be now, "read a third time." The Attorney-General moved, That the Question be amended by the omission of the words "read a third time," in order to the insertion in their place of the words and figures "re-committed, with a view to the further consideration of Clause 31 (now 33) Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
 Question,—That the words and figures proposed to be inserted in place of the words omitted, be so inserted,—put and passed.
 Question,—That this Bill be now, re-committed, with a view to the further consideration of Clause 31 (now 33),—put and passed ;—
 Whereupon the President 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 the House having adopted the Report,—
 Ordered, That the third reading of this Bill stand an Order for a later hour of the day.

4. Crown Lands Alienation Bill.

(1.) The Order of the Day for the third reading of this Bill being read, and the Secretary for Lands not moving the motion standing in his name second on the *Contingent Notice Paper* for to-day, it dropped.

(2.) The Secretary for Lands moved, That this Bill be now read a third time. Debate ensued.

Question put and passed.

Bill read a third time.

The Secretary for Lands moved, That this Bill do now pass.

Question put and passed.

The Secretary for Lands then moved, That the Title of this Bill be "*An Act for Regulating the Alienation of Crown Lands.*"

Question put and passed;—

Whereupon the Secretary for Lands moved, That this Bill be returned to the Legislative Assembly, with the following Message:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill returned herewith, intituled, "*An Act for regulating the Alienation of Crown Lands,*" with the Amendments indicated by the accompanying Schedule, in which Amendments, the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,

Sydney, October, 1861.

President.

CROWN LANDS ALIENATION BILL.

SCHEDULE of the Amendments made by the Legislative Council in the Bill intituled, "An Act for regulating the Alienation of Crown Lands," returned to the Legislative Assembly with Message of 17th October 1861.

R. O'CONNOR,

Clerk of the Legislative Council.

Page 1, clause 1, line 19. Before "Orders in Council" insert "Queen's"
" " line 22. After "four" insert "or that may be hereafter so
" " converted under the Crown Lands Occupation Act
" " of 1861"

Page 2, " lines 1 and 2. Omit "or some or one of them"
" clause 4, line 55. Before "dedicated" omit "or"; after "dedicated"
" " insert "or reserved"

Page 3, clause 8, line 50. After "lease" insert "or promise of lease"

Page 4, clause 10, line 24. Omit "may be" insert "shall have been"

" " line 25. Omit "may render" insert "shall have rendered"

" " line 26. After "bounding" insert "or traversing"

" " " After "such" insert "or neighbouring"

Page 5, clause 13, line 3. After "Gold Field" insert "nor under lease for mining
" " purposes to any person other than the applicant
" " for purchase"

" " line 17. After "Land Agent" insert "for the District"

" " line 25. Before "Land Agent" omit "the" insert "such"

" clause 16, line 50. After "month" insert "after such time of purchase"

" " line 55. After "Land Agent" insert "for the District"

Page 6, clause 17, line 5. After "measured" insert "by the authority of the
" " Government"

" " line 9. Omit "forty" insert "sixty"

" clause 18, line 24. After "improvements" insert "as hereinbefore defined"

" " line 32. Omit "s" in "Lands", and thereafter omit "Sales"

" " " After "Agent" insert "for the District"

" " line 36. After "that" insert "should such lands have been
" " occupied and improved as aforesaid and"

" " line 37. After "centum" insert "per annum"

" " line 39. After "months" omit "of" insert "after"

" " line 43. After "sold" insert "at auction"

Page 7, clause 20, line 14. After "shall be" insert "declared"

" " " After "forfeited" insert "by notice in the Government
" " Gazette"

" " " After "and" insert "may then be"

" clause 21, line 23. At end of clause insert "Provided also that nothing
" " herein contained shall prevent the sale of the
" " adjoining lands to any other person before such
" " further conditional purchase shall have been made."

" clause 22, line 29. At end of clause insert "Provided that nothing herein
" " contained shall prevent the sale of the adjoining
" " lands to any other person before such further con-
" " ditional purchase shall have been made."

Examined,—

GEORGE ALLEN,

Chairman of Committees.

Question put and passed.

5. Crown Lands Occupation Bill, on motion of the Secretary for Lands, read a third time, and passed.

The Secretary for Lands then moved, That the Title of this Bill be "*An Act for regulating the Occupation of Crown Lands.*"

Question put and passed;—

Whereupon the Secretary for Lands moved, That this Bill be returned to the Legislative Assembly, with the following message:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill returned herewith, intituled, "*An Act for regulating the Occupation of Crown Lands,*" with the Amendments indicated by the accompanying Schedule, in which Amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,

Sydney, October, 1861.

President.

CROWN LANDS OCCUPATION BILL.

SCHEDULE of the Amendments made by the Legislative Council in the Bill, intituled, "An Act for regulating the Occupation of Crown Lands," returned to the Legislative Assembly, with Message of 17th October, 1861.

R. O'CONNOR,

Clerk of the Legislative Council.

- Page 1, clause 1, line 18. After "four" insert "or that may be hereafter so converted under this Act"
- " " lines 20 and 21. Omit "or some or one of them"
- Page 2, clause 2, line 23. Before "prevent" omit "to"
- Page 6, clause 14, line 34. Omit "twelve" insert "eighteen".
- Page 7, " line 3. Omit "four" insert "three"
- " " line 10. End Clause 14 at "aforesaid"
- " " line 11. Omit "(7.)" and commence separate Clause 15 at "If in any case" &c.
- " " line 12. After "appraisement" omit "the" insert "any"
- " " line 19. After "Cattle" insert "or if it shall appear upon a
"like application in respect of any run of whatever
"capacity that such run has by adoption of artificial
"means been rendered capable of permanently
"depasturing an additional number by one-half or
"more beyond the number of sheep or cattle
"which the run in its natural state was capable of
"depasturing"
- " " line 21. End Clause 15 at "lease"
- " After line 21. Insert New Clause:—
"16. The holders of land in fee simple within the
"Unsettled and Second Class Settled Districts
"shall be allowed pre-emptive leases of Crown
"Lands adjoining to their respective properties to
"the extent and in like manner and subject to the
"like conditions as hereinbefore provided in respect
"of holders of lands in fee simple in the First
"Class Settled Districts."
- Page 11, clause 31, line 56. After "nine" insert "or any other Act which may
"be passed for the Management of the Gold
"Fields"
- Page 12, " line 4. After "offence" insert "which penalties shall be re-
"covered before any two or more Justices of the
"Peace upon the information or complaint on Oath
"of any person authorized by the Minister in
"that behalf"

Extension of
Leases on
account of
improvements.

Pre-emptive
Leases to
holders in
fee simple.

Examined,—

GEORGE ALLEN,

Chairman of Committees.

Question put and passed.

6. Powers of the House in respect of Money Bills:—Mr. Deas Thomson moved, pursuant to notice, That the Question relating to the Powers of this House, in respect of Money Bills, be referred for the consideration and report of the Standing Orders Committee.

Question put and passed.

7. Tomago Coal Mining Company's Incorporation Bill: Upon the Order of the Day for the third reading of this Bill being read, Mr. Holden moved, by leave of the House, without previous notice, That this Bill be amended, in its Preamble, by the insertion of the words "advice and," before "consent" in Page 2, line 22.

Question put and passed;—

And the said words being there inserted by the Clerk,—

Mr. Deas Thomson moved, That this Bill, as so amended, be now read a third time.

Debate

Debate ensued.

Question put and passed.

Bill read a third time.

Mr. Deas Thomson moved, That this Bill do now pass.

Question put and passed.

Mr. Deas Thomson then moved, That the Title of this Bill be "*An Act to Incorporate the Tomago Coal Mining Company.*"

Question put and passed;—

Whereupon Mr. Deas Thomson moved, That this Bill be carried to the Legislative Assembly, with the following Message :—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled, "*An Act to Incorporate the Tomago Coal Mining Company,*" presents the same to the Legislative Assembly for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon.

Legislative Council Chamber,

Sydney, October, 1861.

President.

Question put and passed.

8. Chinese Immigrants Regulation and Restriction Bill Reported :—The Report of this Bill, from the Committee of the Whole Council, having been adopted, on motion of the Attorney General;—

Ordered, That the third reading of this Bill stand an Order of the Day for the next day of sitting.

9. Gold Fields Bill :—On motion of the Secretary for Lands the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.

The Chairman reported progress, and obtained leave to sit again on the next day of sitting.

10. Messages from the Legislative Assembly :—The President reported the following Messages from the Legislative Assembly :—

(1.) Crown Lands Alienation Bill :—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the Amendments made by the Legislative Council in the Bill, intituled, "*An Act for regulating the Alienation of Crown Lands.*"

Legislative Assembly Chamber,

Sydney, 17 October, 1861.

T. A. MURRAY,
Speaker.

(2.) Crown Lands Occupation Bill :—

MR. PRESIDENT.

The Legislative Assembly has this day agreed to the Amendments made by the Legislative Council in the Bill, intituled, "*An Act for regulating the Occupation of Crown Lands.*"

Legislative Assembly Chamber,

Sydney, 17 October, 1861.

T. A. MURRAY,
Speaker.

11. Property Law and Trustees Relief Bill :—The Attorney General moved, That this Bill be "now read a second time."

Mr. Butler 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 to the Select Committee on the Land Titles Declaration Bill."

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

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

Whereupon Question,—That this Bill be referred to the Select Committee on the Land Titles Declaration Bill,—put and passed.

12. Postponement :—The Resumption of the adjourned Debate of the Question for the Second Reading of the Judicial and other Offices Qualification Amendment Bill postponed, on motion of Mr. Butler, until the next day of sitting.

The House adjourned, at twenty-four minutes before Nine o'clock, until Wednesday next, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, OCTOBER 23.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Chinese Immigrants Regulation and Restriction Bill; Third Reading.
2. Gold Fields Bill; To be further considered in Committee.

GENERAL BUSINESS—ORDER OF THE DAY :—

1. Judicial and other Offices Qualification Amendment Bill; Resumption of the Adjourned Debate of the Question, on motion of Mr. Butler, "That this Bill be now read a second time."

R. O'CONNOR,

Clerk of the Legislative Council.

No. 15.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 23 OCTOBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-five minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,	
The Honorable George Allen, The Honorable Edward Butler, The Honorable William Byrnes, The Honorable John Campbell, The Honorable John Bayley Darvall, Q.C., The Honorable Samuel Deane Gordon, The Honorable John Fletcher Hargrave, The Honorable George Kenyon Holden, The Honorable Charles Kemp, The Honorable Alexander Macarthur, The Honorable John Macfarlane,	The Honorable Sir William Montagu Manning, Knight, Q.C., The Honorable Francis Lewis Shaw Merewether, The Honorable James Mitchell, The Honorable John Hubert Plunkett, Q.C., The Honorable John Robertson, The Honorable William Russell, The Honorable Edward Wolstenholme Ward, Captain, R.E., The Honorable John Brown Watt.

2. Tomago Coal Mining Company's Incorporation Bill :—The President reported the following Message from the Legislative Assembly :—

MR. PRESIDENT,

The Legislative Assembly having this day agreed to the Bill, intituled, "*An Act to Incorporate the Tomago Coal Mining Company,*" returns the same to the Legislative Council without Amendment.

*Legislative Assembly Chamber,
Sydney, 22 October, 1861.*

*T. A. MURRAY,
Speaker.*

3. Chinese Immigrants Regulation and Restriction Bill :—The Secretary for Lands moved, That this Bill be "now" read a third time.

Mr. Darvall 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.

Question,—That this Bill be now read a third time,—put and passed.

Bill read a third time.

The Secretary for Lands moved, That this Bill do now *pass*.

Question put and passed.

The Secretary for Lands then moved, That the Title of this Bill be "*An Act to regulate and restrict the Immigration of Chinese.*"

Question put and passed ;—

Whereupon the Secretary for Lands moved, That this Bill be returned to the Legislative Assembly, with the following Message :—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill returned herewith, intituled, "*An Act to regulate and restrict the Immigration of Chinese,*" with the Amendments indicated by the accompanying Schedule, in which Amendments the Council requests the concurrence of the Legislative Assembly.

*Legislative Council Chamber,
Sydney, October, 1861.*

President.
CHINESE

CHINESE IMMIGRANTS REGULATION AND RESTRICTION BILL.

SCHEDULE of the Amendments made by the Legislative Council in the Bill, intituled, "An Act to regulate and restrict the Immigration of Chinese," returned to the Legislative Assembly, with Message of 23rd October, 1861.

R. O'CONNOR,

Clerk of the Legislative Council.

- Page 2, clause 3, line 2. *Before "passengers" insert "Chinese"*
 " " lines 2 and 3. *After "passengers" omit "including the master and crew and cabin passengers"*
 " " line 3. *Omit "person"*
 " " lines 6 and 7. *Omit "and if any of such passengers shall be Chinese"*
 " clause 4, line 16. *Omit "and"*
 " " " *After "intent" insert "in any of the above cases"*
 Page 3, clause 11, line 3. *Omit "by any Chinese"; insert "or any forfeiture"*
 " clause 13, line 12. *After "penalties" insert "and sums payable"*
 " clause 14, line 18. *Omit "twenty-eighth"; insert "thirty-first"*
 " " line 19. *Omit "February"; insert "March"*

Examined,—

GEORGE ALLEN,
Chairman of Committees.

Question put and passed.

4. Gold Fields Bill :—Upon the Order of the Day being read, the President 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.
5. Postponement :—The resumption of the adjourned Debate of the Question for the second reading of the Judicial and other Offices Qualification Amendment Bill postponed, on motion of Mr. Butler, until to-morrow.
The House adjourned at three minutes before Ten o'clock, until To-morrow, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, OCTOBER 24.

GENERAL BUSINESS—ORDER OF THE DAY :—

1. Judicial and other Offices Qualification Amendment Bill; Resumption of the Adjourned Debate of the Question, on motion of Mr. Butler, "That this Bill be now read a second time."

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Gold Fields Bill; To be further considered in Committee.

R. O'CONNOR,

Clerk of the Legislative Council.

No. 16.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 24 OCTOBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-eight minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,	
The Honorable George Allen,	The Honorable Francis Lewis Shaw
The Honorable Edward Butler,	Merewether,
The Honorable John Campbell,	The Honorable James Mitchell,
The Honorable John Bayley Darvall, Q.C.,	The Honorable John Hubert Plunkett, Q.C.,
The Honorable Samuel Deane Gordon,	The Honorable John Robertson,
The Honorable John Fletcher Hargrave,	The Honorable Ralph Mayer Roboy,
The Honorable George Kenyon Holden,	The Honorable William Russell,
The Honorable Charles Kemp,	The Honorable Edward Wolstenholme
The Honorable Alexander Macarthur,	Ward, Captain, R.E.
The Honorable John Macfarlane,	
The Honorable Sir William Montagu	
Manning, Knight, Q.C.,	

2. Postponement :—The Resumption of adjourned Debate of the Question for the second reading of the Judicial and other Offices Qualification Amendment Bill postponed, on motion of the Attorney-General, until a later hour of the day.
3. Gold Fields Bill :—Upon the Order of the Day being read, the President 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 at a later hour of the day.
4. Messages from the Governor :—The following Messages from His Excellency the Governor, received and read :—

(1.) Assent to Bills of last Session :

JOHN YOUNG,

Governor.

Message No. 1.

The undermentioned Bills having been passed by the Legislative Council and Assembly, and presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bills, and transmitted them to the Legislative Council to be numbered and forwarded to the proper Officer for enrolment in the manner required by Law, viz. :—

1. An Act to enable Coroners to admit to Bail persons charged with Manslaughter.
2. An Act to make better provision for the custody and care of Criminal Lunatics.
3. An Act to fix the Salary and Tenure of Office of the Chief Commissioner of Insolvent Estates.
4. An Act to limit the Liability of Mining Partnerships.
5. An Act to amend the Cattle Driving Act 16 Victoria No. 23.
6. 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 1860-61.
7. An Act to enable the Government to raise a Loan for certain Public Works.
8. An Act to limit the power of Justices of the Peace in certain cases.
9. An Act to enable the Government to raise a Loan for the purposes of Voluntary and Assisted Immigration.

10.

10. An Act to enable the Lord Bishop of Newcastle as Trustee of certain Land situated in the Town of West Maitland to sell the said Land and to provide for the appropriation of the proceeds of such sale.

11. An Act to enable the Trustees of a Settlement made by Mr. Joseph Wilson of Land at Balmain to sell the said Land and to make provision for the investment of the proceeds of the sale thereof.

12. An Act to authorize the Sale and Exchange of Property held in Trust for Mrs. Martha Foxlowe Hosking and her issue.

13. An Act to Incorporate the Proprietors of a certain Company called the "Clarence and Richmond Rivers Steam Navigation Company" and for other purposes therein mentioned.

14. An Act to confer powers to sell and grant Building Leases upon the Trustees of the Marriage Settlement of William Henry Mackenzie and Helen his wife.

15. An Act to amend the Minmi and Hexham Railway Act.

16. An Act to Incorporate a Company to be called the "Wahgunyah Murray Bridge Company" and to enable the said Company to erect and maintain a Bridge over the Murray River at the end of Ford-street in the Township of Wahgunyah and to take Toll thereat and for other purposes.

Government House,

Sydney, 24 October, 1861.

(2.) Reserved Bill of last Session :

JOHN YOUNG,

Governor.

Message, No. 2.

A Bill, intituled "*An Act for the Amendment of the Law as to Claims against the Crown,*" having been passed by the Legislative Council and Assembly, and presented to the Governor for the Royal Assent, His Excellency has reserved the said Bill for the signification of Her Majesty's pleasure thereon.

2. The proper measures have been adopted for obtaining the Queen's decision accordingly, and in the meantime the Bill has been transmitted to the Legislative Council to await Her Majesty's pleasure.

Government House,

Sydney, 24 October, 1861.

(3.) Assent to Bills of present Session :

JOHN YOUNG,

Governor.

Message No. 3.

The undermentioned Bills having been passed by the Legislative Council and Assembly, and presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bills, and transmitted them to the Legislative Council to be numbered and forwarded to the proper Officer for enrolment in the manner required by Law, viz. :—

(1.) "*An Act for Regulating the Alienation of Crown Lands.*"

(2.) "*An Act for Regulating the Occupation of Crown Lands.*"

Government House,

Sydney, 24 October, 1861.

5. Gold Fields Bill :—On motion of the Secretary for Lands, the President 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 on Wednesday next.

6. Judicial and other Offices Qualification Amendment Bill :—The Debate of the Question, on the motion of Mr. Butler, "That this Bill be now read a second time,"—resumed. Question put and passed.

Bill read a second time.

Ordered, That the Committal of this Bill stand an Order of the Day for Wednesday next.

The House adjourned at twenty-seven minutes before Seven o'clock, until Wednesday next, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, OCTOBER 30.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Gold Fields Bill ; To be further considered in Committee.

GENERAL BUSINESS—NOTICE OF MOTION :—

1. MR. HOLDEN to move for leave to bring in "A Bill to simplify Deeds and other Instruments."

ORDER OF THE DAY :—

1. Judicial and other Offices Qualification Amendment Bill ; To be considered in Committee.

R. O'CONNOR,

Clerk of the Legislative Council.

No. 17.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 30 OCTOBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-four minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,	
The Honorable George Allen, The Honorable Edward Butler, The Honorable John Bayley Darvall, Q.C., The Honorable Samuel Deane Gordon, The Honorable John Fletcher Hargrave, The Honorable George Kenyon Holden, The Honorable Charles Kemp, The Honorable Alexander Macarthur, The Honorable John Macfarlane, The Honorable Sir William Montagu Manning, Knight, Q.C.,	The Honorable Francis Lewis Shaw Merewether, The Honorable James Mitchell, The Honorable John Robertson, The Honorable Ralph Mayer Robey, The Honorable Edward Wolstenholme Ward, Captain, R.E., The Honorable John Brown Watt.

2. Paper :—The Secretary for Lands, *By Command*, laid upon the Table a Despatch from the Secretary of State, dated 26th August, 1861, respecting the annexation of a portion of New South Wales to South Australia.
Ordered to be printed.
3. Steam Locomotive Communication between Bathurst and Sydney :—Sir W. M. Manning presented a Petition from certain Stockholders, Merchants, Storekeepers, Tradesmen, Agriculturists, Miners and Others, Inhabitants of the District of Bathurst, praying that the House will take such measures as will ensure speedy Steam Locomotive Communication between Bathurst and Sydney.
Petition received.
4. Western Railway Extension :—Sir W. M. Manning offering a Petition from certain Professional Men, Stockholders, Merchants, Storekeepers, Tradesmen, Agriculturists, Miners, and Inhabitants generally of the Town and District of Bathurst, in Public Meeting assembled, praying that the House will take into consideration certain circumstances therein mentioned, and, in the prosecution of the Railway Policy of the Government, will grant the Western Districts mile for mile of Railway with the other Great Districts of the Colony,—
And a Debate arising on the Point of Order, whether this Petition ought to be received,—
And the President ruling that the prayer of the Petition is in contravention of the 109th Standing Order,—
The Petition was withdrawn.
5. Church and School Lands Bill :—The President reported the following Message from the Legislative Assembly :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to remove any doubts that may exist as to the Church and School Lands being Waste Lands of the Crown*," presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 25 October, 1861.

T. A. MURRAY,
Speaker.

The Secretary for Lands moved, That this Bill be now read a first time.
Debate ensued.
Question put and passed.

Bill

Bill read a first time;—

Ordered, That the second reading stand an Order of the Day for to-morrow week, and that the Bill, in the meantime, be printed.

6. Gold Fields Bill:—Upon the Order of the Day being read, the President left the Chair, and the House resolved itself into a Committee of the Whole, for the further consideration of this Bill.

The Chairman 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.

The Chairman then stated the Point of Order as follows,—

A Motion being made to add a Clause imposing penalties for mining in private Lands without permission of the owner, objection was taken to the reception of the proposed Clause, on the grounds that it was not within the scope and object of the Bill, and that it was in contravention of the practice of Parliament in reference to Money Bills,—

And the President ruling that the provisions of the proposed Clause are, in his opinion, cognate to the general objects of the Bill, and not in excess of the powers of the House in dealing with Money Bills,—

The Committee resumed.

The Chairman having reported the Bill with Amendments,—

The Secretary for Lands moved, "That" the Adoption of the Report stand an Order of the Day for to-morrow.

Sir W. M. Manning moved, That the Question be amended by the omission of all the words thereof following the word "That" at the commencement, in order to the insertion in their place of the words and figures "this Bill be now re-committed, with a view to the further consideration of Clause 1, and new Clause following next after Clause 39."

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

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

Question,—That this Bill be now re-committed, with a view to the further consideration of Clause 1, and new Clause following next after Clause 39,—put and passed;—

Whereupon the President left the Chair, and the House resolved itself into a Committee of the Whole accordingly.

The Chairman having reported the Bill with further Amendments;—

Ordered, That the Adoption of the Report 2^o stand an Order of the Day for to-morrow.

7. Deeds Simplifying Bill:—Mr. Holden moved, pursuant to notice, for leave to bring in a Bill to simplify Deeds and other Instruments.

Question put and passed;—

And Mr. Holden having presented this Bill, Bill intituled, "*A Bill to Simplify Deeds and other Instruments*,"—read a first time;

Ordered, That the second reading stand an Order of the Day for Wednesday next, and that the Bill, in the meantime, be printed.

8. Judicial and other Offices Qualification Amendment Bill:—On motion of Mr. Butler, the President 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;—

Ordered, That the Adoption of the Report stand an Order of the Day for to-morrow.

The House adjourned at twenty-five minutes after Seven o'clock, until To-morrow, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY:

THURSDAY, OCTOBER 31.

GENERAL BUSINESS—NOTICE OF MOTION:—

1. DR. MACFARLANE to move for leave to bring in a Bill to Regulate the Qualification of Practitioners in Medicine and Surgery.

ORDER OF THE DAY:—

1. Judicial and other Offices Qualification Amendment Bill Reported; Adoption of the Report.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Gold Fields Bill Reported 2^o; Adoption of the Report.

WEDNESDAY,

OF THE LEGISLATIVE COUNCIL.

WEDNESDAY, NOVEMBER 6.

GENERAL BUSINESS—NOTICE OF MOTION:—

1. SIR W. M. MANNING to move, That the Petition presented by him on the 30th October, 1861, from certain Stockholders, Merchants, Storekeepers, Tradesmen, Agriculturists, Miners and Others, Inhabitants of the District of Bathurst, praying that the House will take such measures as will ensure speedy Steam Locomotive Communication between Bathurst and Sydney, be printed.

ORDER OF THE DAY:—

1. Deeds Simplifying Bill; Second Reading.
-

THURSDAY, NOVEMBER 7.

GENERAL BUSINESS—ORDER OF THE DAY:—

1. Church and School Lands Bill; Second Reading.

R. O'CONNOR,
Clerk of the Legislative Council.

[Price, 1d.]

BY ORDER:

THE SECRETARY OF THE ARMY
WASHINGTON, D. C.

TO THE SECRETARY OF THE ARMY
FROM THE SECRETARY OF THE ARMY
SUBJECT: [illegible]

2 V 111172

FOR THE SECRETARY OF THE ARMY
BY THE SECRETARY OF THE ARMY

THE SECRETARY OF THE ARMY
WASHINGTON, D. C.

TO THE SECRETARY OF THE ARMY
FROM THE SECRETARY OF THE ARMY
SUBJECT: [illegible]

FOR THE SECRETARY OF THE ARMY
BY THE SECRETARY OF THE ARMY

THE SECRETARY OF THE ARMY
WASHINGTON, D. C.

100-100000-100000

THE SECRETARY OF THE ARMY

100-100000-100000

No. 18.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 31 OCTOBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-eight minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,	
The Honorable George Allen,	The Honorable John Macfarlane,
The Honorable Edward Butler,	The Honorable Francis Lewis Shaw
The Honorable John Campbell,	Merewether,
The Honorable John Fletcher Hargrave,	The Honorable James Mitchell,
The Honorable Charles Kemp,	The Honorable John Robertson.
The Honorable Alexander Macarthur,	

2. Medical Bill:—Dr. Macfarlane moved, pursuant to notice, for leave to bring in a Bill to Regulate the Qualification of Practitioners in Medicine and Surgery.

Question put and passed ;—

And Dr. Macfarlane having presented this Bill, intitled, "*A Bill to Regulate the Qualifications of Practitioners in Medicine and Surgery in New South Wales,*"—read a first time ;—

Ordered, That the second reading stand an Order of the Day for this day week, and that the Bill, in the meantime, be printed.

3. Chinese Immigrants Regulation and Restriction Bill:—The President reported the following Message from the Legislative Assembly :—

MR. PRESIDENT,

The Legislative Assembly has this day disagreed from the Amendments made by the Legislative Council in the Bill, intitled, "*An Act to Regulate and Restrict the Immigration of Chinese,*" in Clause 14, as those Amendments, if agreed to, would render Clause 8 inoperative,—

And has agreed to all the other Amendments.

Legislative Assembly Chamber,
Sydney, 30th October, 1861.

T. A. MURRAY,
Speaker.

On motion of the Secretary for Lands, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of the said Message.

The Chairman having reported that the Committee had agreed not to insist upon the Council's Amendments in this Bill disagreed to by the Legislative Assembly ;—

The Secretary for Lands moved, That this Report be now adopted.

Question put and passed ;—

Whereupon the Secretary for Lands moved, That the following Message be carried to the Legislative Assembly ;—

MR. SPEAKER,

The Legislative Council having had under consideration the Legislative Assembly's Message dated the 30th instant, disagreeing to the Amendments made by the Council in Clause 14 of the Chinese Immigrants Regulation and Restriction Bill, and agreeing to all the other Amendments made by the Council in the said Bill, does not insist upon its said Amendments so disagreed to.

Legislative Council Chamber,
Sydney, October, 1861.

President.

Question put and passed.

4. Judicial and other Offices Qualification Amendment Bill Reported:—The Report of this Bill from the Committee of the whole Council having been adopted, on motion of Mr. Butler;—
Ordered, That the third reading stand an Order of the Day for Wednesday next.
5. Gold Fields Bill Reported 2^o:—The Report 2^o of this Bill from the Committee of the whole Council having been adopted, on motion of the Secretary for Lands;—
Ordered, That the third reading stand an Order of the Day for Wednesday next.
The House adjourned at a quarter before Five o'clock, until Wednesday next, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, NOVEMBER 6.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Gold Fields Bill; Third Reading.

GENERAL BUSINESS—NOTICE OF MOTION:—

1. SIR W. M. MANNING to move, That the Petition presented by him on the 30th October, 1861, from certain Stockholders, Merchants, Storekeepers, Tradesmen, Agriculturists, Miners and Others, Inhabitants of the District of Bathurst, praying that the House will take such measures as will ensure speedy Steam Locomotive Communication between Bathurst and Sydney, be printed.

ORDERS OF THE DAY:—

1. Deeds Simplifying Bill; Second Reading.
2. Judicial and other Offices Qualification Amendment Bill; Third Reading.

THURSDAY, NOVEMBER 7.

GENERAL BUSINESS—ORDERS OF THE DAY:—

1. Church and School Lands Bill; Second Reading.
2. Medical Bill; Second Reading.

R. O'CONNOR,

Clerk of the Legislative Council.

No. 19.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 6 NOVEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-nine minutes after Four o'clock.

Members Present:—

The Honorable William Charles Wentworth, President,	
The Honorable George Allen,	The Honorable John Macfarlane,
The Honorable Edward Butler,	The Honorable Sir William Montagu
The Honorable William Byrnes,	Manning, Knight, Q.C.,
The Honorable John Campbell,	The Honorable Francis Lewis Shaw
The Honorable Samuel Deane Gordon,	Merewether,
The Honorable John Fletcher Hargrave,	The Honorable James Mitchell,
The Honorable George Kenyon Holden,	The Honorable John Robertson,
The Honorable Charles Kemp,	The Honorable Bourn Russell.
The Honorable Alexander Macarthur,	

2. Assent to Tomago Coal Mining Company's Incorporation Bill:—The following Message from His Excellency the Governor received and read:—

JOHN YOUNG,
Governor.

Message, No. 4.

A Bill, intituled, "*An Act to Incorporate the 'Tomago Coal Mining Company,'*" having been passed by the Legislative Council and Assembly, and 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 now transmits it herewith to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,

Sydney, 6 November, 1861.

3. Wagga Wagga Bridge Company's Bill:—The President reported the following Message from the Legislative Assembly:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to Incorporate the 'Wagga Wagga Bridge 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, 1 November, 1861.

T. A. MURRAY,

Speaker.

Bill, on motion of Mr. Gordon, read a first time;—

Ordered, That the second reading stand an Order of the Day for to-morrow, and that the Bill, in the meantime, be printed.

4. Questions of Order:—Mr. Holden, adverting to the consideration in Committee, without notice, on the 31st ultimo, of the Message received on that day from the Legislative Assembly in reference to the Council's Amendments in the Chinese Immigrants Regulation and Restriction Bill, moved, without notice, That it be referred to the Standing Orders Committee, to consider whether it be in accordance with the Standing Orders to proceed to the consideration in Committee of Amendments of the Legislative Assembly, without previous notice; and, if so, whether some revision of the Standing Orders be not requisite in reference to this subject,—

And the President giving it as his opinion, that the proceeding referred to was not against the Standing Orders of this House, or the practice of Parliament,—

And

And objection being taken to the reception of this Motion without notice,—
Motion by leave withdrawn, and notice thereof given for to-morrow.

5. Leave of Absence :—

- (1.) For one week, granted to Mr. Deas Thomson, on motion of Sir W. M. Manning.
(2.) For one month, granted to Mr. Plunkett, on motion of Mr. Butler.

6. Medical Bill :—Mr. Butler presented a Petition from James Fitzgerald, Medical Practitioner, in the District of Berrima, praying that any person who has been employed as Surgeon or Apothecary in the service of Government in any British Colony, or who has been in actual practice in this Colony for a period of four years, shall thereby be entitled to be registered as a legally qualified Medical Practitioner under this Bill. Petition received.

7. Western Railway Extension :—Sir W. M. Manning, offering a Petition from Thomas Icely, purporting to be on behalf of the Inhabitants of Carcoar, praying the House to take into consideration certain circumstances therein recited, and grant a co-equal extension of the Western Railway with that already proposed for the District of Goulburn,—

And the President ruling that the prayer of the Petition is in contravention of the 109th Standing Order,—

The Petition was withdrawn.

8. Gold Fields Bill, on motion of the Secretary for Lands, read a third time, and *passed*. The Secretary for Lands then moved, That the Title of this Bill be "*An Act to amend the Laws relating to the Gold Fields.*"

Question put and passed ;—

Whereupon the Secretary for Lands moved, That this Bill be returned to the Legislative Assembly, with the following Message :—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled, "*An Act to amend the Laws relating to the Gold Fields,*" with the Amendments indicated by the accompanying Schedule, in which Amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,

Sydney, November, 1861.

President.

GOLD FIELDS BILL.

SCHEDULE of the Amendments made by the Legislative Council in the Bill, intituled, "An Act to amend the Laws relating to the Gold Fields," returned "to the Legislative Assembly with Message of 6th November, 1861.

R. O'CONNOR,

Clerk of the Legislative Council.

Proviso.

Page, 1, clause 1, line 7. After "repealed" insert "except in so far as the same
" relates to or affects persons who shall mine or
" employ any person to mine for gold in any land
" belonging to a private individual without the
" consent of the owner thereof or his duly author-
" ized agent."

Page 3, clause 9. Omit clause 9.

" clause 13, line 55. After "passage" insert "of any water"

" " " After "lands" insert "and also the passage"

" " lines 56 and 57. Omit "which Her Majesty could lawfully divert
for any public purpose"; insert "through any
" such lands"

Examined,—

GEORGE ALLEN,

Chairman of Committees.

Question put and passed.

9. Steam Locomotive Communication between Bathurst and Sydney :—Sir W. M. Manning moved, pursuant to notice, That the Petition presented by him on the 30th October, 1861, from certain Stockholders, Merchants, Storekeepers, Tradesmen, Agriculturists, Miners and Others, Inhabitants of the District of Bathurst, praying that the House will take such measures as will ensure speedy Steam Locomotive Communication between Bathurst and Sydney, be printed.

Question put and passed.

Ordered to be printed.

10. Deeds Simplifying Bill :—Mr. Holden moved, That this Bill be "now read a second time."

Sir W. M. Manning 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 to the Select Committee on the Land Titles Declaration Bill."

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

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

Whereupon Question,—That this Bill be referred to the Select Committee on the Land Titles Declaration Bill,—put and passed.

11. Judicial and other Offices Qualification Amendment Bill, on motion of Mr. Butler, read a third time, and *passed*.

Mr.

Mr. Butler then moved, That the Title of this Bill be "*An Act to Amend the Law as to the Qualification for certain Judicial and other Offices.*"

Question put and passed;—

Whereupon Mr. Butler moved, That this Bill be returned to the Legislative Assembly, with the following Message:—

MR SPEAKER,

The Legislative Council has this day agreed to the Bill returned herewith, intituled, "*An Act to amend the Law as to the Qualification for certain Judicial and other Offices,*" with the Amendments indicated by the accompanying Schedule, in which Amendments the Council requests the concurrence of the Legislative Assembly.

*Legislative Council Chamber,
Sydney, November, 1861.*

President.

JUDICIAL AND OTHER OFFICES QUALIFICATION AMENDMENT BILL.

SCHEDULE of the Amendments made by the Legislative Council in the Bill, intituled, "An Act to amend the Law as to the Qualification for certain "Judicial and other Offices," returned to the Legislative Assembly with Message of 6th November, 1861.

R. O'CONNOR,
Clerk of the Legislative Council.

Preamble, line 3. *Omit "or Attorneys"*

Clause 1, line 11. *Omit "or Attorneys of the"; insert "admitted under the provisions of the eleventh Victoria number fifty-seven as "Barristers of the"*

„ line 12. *After "New South Wales" insert "in like manner and subject "to the like qualifications as to standing at the Bar as if "they had been Barristers of England or Ireland"*

„ line 13. *After "notwithstanding" omit remainder of Clause.*

After Clause 1 insert new Clause:—

*"2. No Barrister shall be appointed to the office of Chief Justice
"or Puisne Judge unless he shall be of ten years standing
"at the Bar"*

Chief Justice or
Puisne Judge to
be a Barrister of
ten years stand-
ing.

Examined,—

GEORGE ALLEN,
Chairman of Committees.

Question put and passed.

The House adjourned, at twenty-five minutes after Five o'clock, until To-morrow, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, NOVEMBER 7.

GENERAL BUSINESS—NOTICES OF MOTION:—

1. MR. HOLDEN to move, That it be referred to the Standing Orders Committee to consider whether it be in accordance with the Standing Orders to proceed to the consideration in Committee of Amendments of the Legislative Assembly, without previous notice; and, if so, whether some revision of the Standing Orders be not requisite in reference to this subject.
2. MR. BUTLER to move, That the Petition presented by him, on the 6th instant, from James Fitzgerald, Medical Practitioner, in the District of Berrima, praying that any person who has been employed as Surgeon or Apothecary in the service of Government in any British Colony, or who has been in actual practice in this Colony for a period of four years, shall thereby be entitled to be registered as a legally qualified Medical Practitioner under the Medical Bill, be printed.

ORDERS OF THE DAY:—

1. Church and School Lands Bill; Second Reading.
2. Medical Bill; Second Reading.
3. Wagga Wagga Bridge Company's Bill; Second Reading.

R. O'CONNOR,
Clerk of the Legislative Council.

1. The first step is to identify the problem. This involves understanding the current situation and the goals that need to be achieved.

55 56

the 1990s, the number of people in the world who are undernourished has declined from 1.1 billion to 800 million. The number of people who are malnourished has declined from 1.5 billion to 1 billion. The number of people who are obese has increased from 100 million to 300 million. The number of people who are overweight has increased from 100 million to 300 million. The number of people who are obese and overweight has increased from 100 million to 300 million. The number of people who are obese and overweight has increased from 100 million to 300 million.

1. The first of the three main types of the system is the "one-to-one" system, in which each user has a dedicated terminal connected to a central computer.	1. The first of the three main types of the system is the "one-to-one" system, in which each user has a dedicated terminal connected to a central computer.
2. The second type is the "multi-user" system, in which multiple users share a common terminal connected to a central computer.	2. The second type is the "multi-user" system, in which multiple users share a common terminal connected to a central computer.
3. The third type is the "distributed" system, in which multiple computers are connected to each other, and each user has a dedicated terminal connected to one of the computers.	3. The third type is the "distributed" system, in which multiple computers are connected to each other, and each user has a dedicated terminal connected to one of the computers.

<p>1. The first part of the report is a general introduction to the project, outlining the objectives and the scope of the study.</p> <p>2. The second part of the report is a detailed description of the methodology used in the study, including the data collection methods and the statistical analysis techniques.</p> <p>3. The third part of the report is a presentation of the results of the study, including the findings and the conclusions drawn from the data.</p> <p>4. The fourth part of the report is a discussion of the results, comparing them with the findings of previous studies and discussing the implications of the results.</p> <p>5. The fifth part of the report is a conclusion, summarizing the main findings and the conclusions of the study.</p>	<p>6. The sixth part of the report is a list of references, citing the sources used in the study.</p> <p>7. The seventh part of the report is an appendix, containing additional information related to the study, such as the raw data and the detailed statistical analysis.</p> <p>8. The eighth part of the report is a glossary, defining the key terms and concepts used in the study.</p> <p>9. The ninth part of the report is a list of figures and tables, providing a visual representation of the data and the results.</p> <p>10. The tenth part of the report is a list of abbreviations, providing a shorthand notation for the key terms and concepts used in the study.</p>
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23-11-20

[illegible]

the 1990s, the number of people in the United States who are 65 years of age or older has increased by 50% (U.S. Census Bureau, 1997). The number of people aged 65 and older is projected to increase to 20% of the total population by the year 2020 (U.S. Census Bureau, 1997). The increase in the number of people aged 65 and older is expected to be even more dramatic in other countries. For example, the number of people aged 65 and older in Japan is projected to increase from 15% of the total population in 1990 to 25% of the total population by the year 2020 (U.S. Census Bureau, 1997). The increase in the number of people aged 65 and older is expected to be even more dramatic in other countries. For example, the number of people aged 65 and older in Japan is projected to increase from 15% of the total population in 1990 to 25% of the total population by the year 2020 (U.S. Census Bureau, 1997).

[illegible]

No. 20.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 7 NOVEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at half-past Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,

The Honorable George Allen,
The Honorable Edward Butler,
The Honorable John Campbell,
The Honorable Samuel Deane Gordon,
The Honorable John Fletcher Hargrave,
The Honorable George Kenyon Holden,

The Honorable Alexander Macarthur,
The Honorable John Macfarlane,
The Honorable Francis Lewis Shaw
Merewether,
The Honorable James Mitchell,
The Honorable John Robertson.

2. Medical Bill:—Dr. Macfarlane presented a Petition from certain legally qualified Medical Practitioners, praying that this Bill may pass.
Petition received.
3. Motion withdrawn :—Mr. Holden withdrew the motion standing in his name first on the Notice Paper of General Business for to-day.
4. Medical Bill :—Mr. Butler moved, pursuant to notice, That the Petition presented by him, on the 6th instant, from James Fitzgerald, Medical Practitioner, in the District of Berrima, praying that any person who has been employed as Surgeon or Apothecary in the service of Government in any British Colony, or who has been in actual practice in this Colony for a period of four years, shall thereby be entitled to be registered as a legally qualified Medical Practitioner under the Medical Bill, be printed.
Question put and passed.
Ordered to be printed.
5. Papers :—The Secretary for Lands, *Under the Acts 25 Vict., Nos. 1 and 2*, laid upon the Table the undermentioned Papers :—
(1.) Regulations made by His Excellency the Governor, with the advice of the Executive Council, for carrying into effect the Crown Lands Alienation Act of 1861.
(2.) Regulations made by His Excellency the Governor, with the advice of the Executive Council, for carrying into effect the Crown Lands Occupation Act of 1861.
Ordered to be printed.
6. Postponements :—
(1.) The second reading of the Church and School Lands Bill postponed, on motion of Mr. Gordon, until this day week.
(2.) The second reading of the Medical Bill postponed, on motion of Dr. Macfarlane, until this day week.
7. Wagga Wagga Bridge Company's Bill, on motion of Mr. Gordon, read a second time ;—
Ordered, That the Committal of this Bill stand an Order of the Day for Wednesday next.
8. Land Titles Declaration Bill :—The Attorney General, as Chairman, brought up a Progress Report from, and the Minutes of the Proceedings of, the Select Committee to whom this and other kindred Bills were referred on the 16th and 17th ultimo, and 6th instant, together with a copy of the Land Titles Declaration Bill and of the Land Transfer and Registry Bill, *as amended and agreed to* in the Committee ;—
Ordered, That the second reading stand Orders of the Day for Wednesday next, and that, in the meantime, the Bills Report and Minutes of Proceedings be printed.
The House adjourned at twelve minutes before Five o'clock, until Wednesday next, at Four o'clock.

NOTICES

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, NOVEMBER 13.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. THE ATTORNEY GENERAL to move for leave to bring in a Bill to amend the Constitution of the Legislative Council.

ORDERS OF THE DAY:—

1. Land Titles Declaration Bill; Second Reading.
2. Land Transfer and Registry Bill; Second Reading.

GENERAL BUSINESS—NOTICE OF MOTION:—

1. DR. MACFARLANE to move, That the Petition presented by him on the 7th instant, from certain legally qualified Medical Practitioners; praying that the Medical Bill may pass, be printed.

ORDER OF THE DAY:—

1. Wagga Wagga Bridge Company's Bill; To be considered in Committee.
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THURSDAY, NOVEMBER 14.

GENERAL BUSINESS—ORDERS OF THE DAY:—

1. Church and School Lands Bill; Second Reading.
2. Medical Bill; Second Reading.

R. O'CONNOR,

Clerk of the Legislative Council.

[Price, 1d.]

No. 21.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 13 NOVEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-six minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,

The Honorable George Allen,
The Honorable Edward Butler,
The Honorable William Byrnes,
The Honorable John Campbell,
The Honorable Samuel Deane Gordon,
The Honorable John Fletcher Hargrave,
The Honorable George Kenyon Holden,
The Honorable Charles Kemp,
The Honorable Alexander Macarthur,
The Honorable John Macfarlane,
The Honorable Sir William Montagu-
Manning, Knight, Q.C.,

The Honorable Francis Lewis Shaw
Merewether,
The Honorable James Mitchell,
The Honorable John Robertson,
The Honorable Ralph Mayer Robey,
The Honorable William Russell,
The Honorable Edward Wolstenholme
Ward, Captain, R.E.,
The Honorable John Brown Watt.

2. Public Statutes of New South Wales :—The Attorney General laid upon the Table the two first volumes of the Public General Statutes of New South Wales, from 5th Geo. IV, to 8th Will., IV., inclusive (1824—1837), and from 1st Vict. to 10th Vict., inclusive (1838—1846.)
3. Medical Bill :—Mr. Merewether presented a Petition from certain Physicians and Surgeons, practising in Sydney, praying the House to abstain from passing this Bill. Petition received.
4. Legislative Council Bill :—The Attorney General moved, pursuant to notice, for leave to bring in a Bill to amend the Constitution of the Legislative Council.
Question put and passed ;—
And the Attorney General having presented this Bill, Bill, intituled, "*A Bill to amend the Constitution of the Legislative Council,*" read a first time ;—
Ordered, That the second reading stand an Order of the Day for this day week, and that the Bill, in the meantime, be printed.
5. Messages from the Legislative Assembly :—The President reported the following Messages from the Legislative Assembly :—
(1.) Wollongong Tonnage Duty Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to provide by a Tonnage Duty for repaying a Loan to Improve Wollongong Harbour,*" presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 13 November, 1861.

T. A. MURRAY,
Speaker.

Bill, on motion of the Secretary for Lands, read a first time ;—

Ordered, That the second reading stand an Order of the Day for this day week, and that the Bill, in the meantime, be printed.

(2.) Kiama Tonnage Duty Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to provide by a Tonnage Duty for repaying a Loan to Improve Kiama Harbour,*" presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 13 November, 1861.

T. A. MURRAY,
Speaker.

Bill, on motion of the Secretary for Lands, read a first time ;—

Ordered, That the second reading stand an Order of the Day for this day week, and that the Bill, in the meantime, be printed.

(3.)

(3.) Insolvency Laws Amendment Bill:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to amend the Laws relating to Insolvency*," presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 13 November, 1861.

T. A. MURRAY,
Speaker.

Bill, on motion of the Attorney General, read a first time;—

Ordered, That the second reading stand an Order of the Day for this day week, and that the Bill, in the meantime, be printed.

(4.) Navigable Waters Protection Bill:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act for the better protection of Navigable Waters*," presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 13 November, 1861.

T. A. MURRAY,
Speaker.

Bill, on motion of the Secretary for Lands, read a first time;—

Ordered, That the second reading stand an Order of the Day for this day week, and that the Bill, in the meantime, be printed.

6. Land Titles Declaration Bill:—The Attorney General moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time;—

Ordered, That the Committal of this Bill stand an Order of the Day for this day week.

7. Land Transfer and Registry Bill, on motion of the Attorney General, read a second time;—

Ordered, That the Committal of this Bill stand an Order of the Day for this day week.

8. Medical Bill:—Dr. Macfarlane moved, pursuant to notice, That the Petition presented by him on the 7th instant, from certain legally qualified Medical Practitioners, praying that the Medical Bill may pass, be printed.

Question put and passed.

Ordered to be printed.

9. Wagga Wagga Bridge Company's Bill:—On motion of Mr. Gordon the President 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 an Amendment;—

Ordered, That the Adoption of the Report stand an Order of the Day for to-morrow. The House adjourned at a quarter before Six o'clock, until To-morrow, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, NOVEMBER 14.

GENERAL BUSINESS—NOTICE OF MOTION:—

1. MR. MEREWETHER to move, That the Petition presented by him, on the 13th instant, from certain Physicians and Surgeons practising in Sydney, praying the House to abstain from passing the Medical Bill, be printed.

ORDERS OF THE DAY:—

1. Church and School Lands Bill; Second Reading.
2. Medical Bill; Second Reading.
3. Wagga Wagga Bridge Company's Bill Reported; Adoption of the Report.

WEDNESDAY, NOVEMBER 20.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Legislative Council Bill; Second Reading.
2. Wollongong Tonnage Duty Bill; Second Reading.
3. Kiama Tonnage Duty Bill; Second Reading.
4. Insolvency Laws Amendment Bill; Second Reading.
5. Navigable Waters Protection Bill; Second Reading.
6. Land Titles Declaration Bill; To be considered in Committee.
7. Land Transfer and Registry Bill; To be considered in Committee.

R. O'CONNOR,

Clerk of the Legislative Council.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 14 NOVEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-eight minutes after Four o'clock.

Members Present :—

<p>The Honorable William Charles Wentworth, President, The Honorable George Allen, The Honorable William Byrnes, The Honorable John Campbell, The Honorable Samuel Deane Gordon, The Honorable John Fletcher Hargrave, The Honorable Charles Kemp, The Honorable John Macfarlane, The Honorable Sir William Montagu Manning, Knight, Q.C.,</p>	<p>The Honorable Francis Lewis Shaw Merewether, The Honorable James Mitchell, The Honorable John Robertson, The Honorable William Russell, The Honorable John Brown Watt.</p>
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2. Paper :—The Secretary for Lands, *Under the Act 24 Vict., No. 11*, laid upon the Table, Proclamations by His Excellency the Governor, bearing date respectively 30th April, 2nd August, and 1st November, 1861, prohibiting, for terms therein respectively mentioned, the introduction into this Colony of Horned Cattle from the Colony of Victoria.
Ordered to be printed.

3. Medical Bill :—

(1.) Dr. Macfarlane presented a Petition from certain legally qualified Medical Practitioners, praying that this Bill may pass.
Petition received.
(2.) Dr. Macfarlane presented a Petition from Thomas Hogg, retired Medical Officer, late Honorable East India Company's Service, with a similar prayer.
Petition received.

4. Messages from the Legislative Assembly :—The President reported the following Messages from the Legislative Assembly :—

(1.) Public Bridges' Tolls Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to remove doubts respecting Tolls upon Public Bridges*," presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 14 November, 1861.*

T. A. MURRAY,
Speaker.

Bill, on motion of the Attorney General, read a first time ;—

Ordered, That the second reading stand an Order of the Day for Wednesday next, and that the Bill, in the meantime, be printed.

(2.) Gold Fields Bill :—

MR. PRESIDENT,

The Legislative Assembly has agreed to the Amendments made by the Legislative Council in the Bill, intituled, "*An Act to amend the Laws relating to the Gold Fields*."

*Legislative Assembly Chamber,
Sydney, 14 November, 1861.*

T. A. MURRAY,
Speaker.

- (3.) Member's Attendance upon Select Committee of the Legislative Assembly :—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee "to consider and report upon the expediency of amending or repealing the Act 8 William IV., "No. 7," and that Committee being desirous to examine the Honorable Samuel Deane Gordon, Esquire, Member of the Legislative Council, in reference thereto, requests 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, 14th November, 1861.*

T. A. MURRAY,
Speaker.

The

The Secretary for Lands moved, That the Honorable Samuel Deane Gordon have leave to attend and give evidence accordingly, if he think fit.

Question put and passed.

5. Medical Bill:—Mr. Merewether moved, pursuant to notice, That the Petition presented by him, on the 13th instant, from certain Physicians and Surgeons practising in Sydney, praying the House to abstain from passing the Medical Bill, be printed.
Question put and passed.

Ordered to be printed.

6. Church and School Lands Bill:—Mr. Gordon moved, That this Bill be now read a second time.

Debate ensued.

Motion made by Sir W. M. Manning, and Question,—That this Debate be adjourned until this day week,—put and passed.

7. Member's Attendance upon Select Committee of the Legislative Assembly:—The Secretary for Lands moved, That the following Message be carried to the Legislative Assembly:—

MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated the 14th instant, requesting leave for the Honorable Samuel Deane Gordon, a Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly, appointed "to consider and report upon the expediency of "amending or repealing the Act 8 William IV., No. 7," 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, November, 1861.

President.

Question put and passed.

8. Paper:—The Secretary for Lands, *By Command*, laid upon the Table the Report on the Post Office Department for the year 1860.

Ordered to be printed.

9. Postponement:—The second reading of the Medical Bill postponed, on motion of Dr. Macfarlane, until Thursday next.

10. Wagga Wagga Bridge Company's Bill Reported:—The Report of this Bill from the Committee of the whole Council having been adopted, on motion of Mr. Gordon;—
Ordered, That the third reading stand an Order of the Day for Thursday next.

The House adjourned at Six o'clock, until Wednesday next, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, NOVEMBER 20.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Legislative Council Bill; Second Reading.
2. Wollongong Tonnage Duty Bill; Second Reading.
3. Kiama Tonnage Duty Bill; Second Reading.
4. Insolvency Laws Amendment Bill; Second Reading.
5. Navigable Waters Protection Bill; Second Reading.
6. Land Titles Declaration Bill; To be considered in Committee.
7. Land Transfer and Registry Bill; To be considered in Committee.
8. Public Bridges Tolls Bill; Second Reading.

GENERAL BUSINESS—NOTICES OF MOTION:—

1. DR. MACFARLANE to move, That the Petition presented by him, on the 14th instant, from certain legally qualified Medical Practitioners, praying that the Medical Bill may pass, be printed.
2. DR. MACFARLANE to move, That the Petition presented by him, on the 14th instant, from Thomas Hogg, retired Medical Officer, late Honorable East India Company's Service, praying that the Medical Bill may pass, be printed.

THURSDAY, NOVEMBER 21.

GENERAL BUSINESS—ORDERS OF THE DAY:—

1. Church and School Lands Bill; Resumption of the Adjourned Debate on the Motion of Mr. Gordon, "That this Bill be now read a second time."
2. Medical Bill; Second Reading.
3. Wagga Wagga Bridge Company's Bill; Third Reading.

R. O'CONNOR,

Clerk of the Legislative Council.

No. 23.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 20 NOVEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-five minutes after Four o'clock.

Members Present :—

<p>The Honorable William Charles Wentworth, President, The Honorable George Allen, The Honorable Edward Butler, The Honorable William Byrnes, The Honorable John Campbell, The Honorable John Bayley Darvall, Q.C., The Honorable Samuel Deane Gordon, The Honorable John Fletcher Hargrave, The Honorable George Kenyon Holden, The Honorable Charles Kemp, The Honorable Alexander Macarthur, The Honorable John Macfarlane,</p>	<p>The Honorable Sir William Montagu Manning, Knight, Q.C., The Honorable Francis Lewis Shaw Merewether, The Honorable James Mitchell, The Honorable John Robertson, The Honorable Bourn Russell, The Honorable William Russell, The Honorable Edward Deas Thomson, C.B., The Honorable Edward Wolstenholme Ward, Captain, R.E.</p>
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2. Western Railway Extension :—

(1.) Mr. Deas Thomson presented a Petition from Thomas Icely, purporting to be on behalf of the Inhabitants of Carcoar, praying the House to take into consideration certain circumstances therein mentioned in relation to Western Railway Extension. — Petition received.

(2.) Mr. Deas Thomson presented a Petition from George McKay, purporting to be on behalf of the Inhabitants of the Town and District of Orange, praying the House to take into consideration the claims of the Western Districts in relation to Railway Extension. — Petition received.

3. Messages from the Legislative Assembly :—The President reported the following Messages from the Legislative Assembly :—

(1.) Sale of Liquors Licensing Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to consolidate and amend the Laws relating to Licensed Publicans*," presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 20 November, 1861.*

T. A. MURRAY,
Speaker.

Bill, on motion of the Secretary for Lands, read a first time ;—

Ordered, That the second reading stand an Order of the Day for this day week, and that the Bill, in the meantime, be printed.

(2.) Pyrmont Bridge Company's Supplementary Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to continue the powers of the Pyrmont Bridge Company to raise money by the issue of Debentures and by Mortgage*," 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, 14 November, 1861.*

T. A. MURRAY,
Speaker.

Bill, on motion of Mr. Holden, read a first time ;—

Ordered, That the second reading stand an Order of the Day for to-morrow, and that the Bill, in the meantime, be printed.

MINUTES OF THE PROCEEDINGS

4. Paper :—The Secretary for Lands, *By Command*, laid upon the Table a Letter, dated 22 September, 1861, from Alexander Black, Esq., to the Secretary for Lands, in reference to the acclimatising and propagating Salmon.
Ordered to be printed.
 5. Postponement :—The second reading of the Legislative Council Bill postponed, on motion of the Attorney General, until this day week.
 6. Wollongong Tonnage Duty Bill, on motion of the Secretary for Lands, read a second time ;—
Ordered, That the Committal of this Bill stand an Order of the Day for to-morrow.
 7. Kiama Tonnage Duty Bill, on motion of the Secretary for Lands, read a second time ;—
Ordered, That the committal of this Bill stand an Order of the Day for to-morrow.
 8. Insolvency Laws Amendment Bill, on motion of the Attorney General, read a second time ;—
Ordered, That the Committal of this Bill stand an Order of the Day for to-morrow.
 9. Navigable Waters Protection Bill; on motion of the Attorney General, read a second time ;—
Ordered, That the committal of this Bill stand an Order of the Day for to-morrow.
 10. Land Titles Declaration Bill ; On motion of the Attorney General, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill *as amended in Select Committee*.
The Chairman reported the Bill with an Amendment ;—
Ordered, That the Adoption of the Report stand an Order of the Day for to-morrow.
 11. Land Transfer and Registry Bill ; On motion of the Attorney General, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill *as amended in Select Committee*.
The Chairman reported the Bill with Amendments ;—
Ordered, That the Adoption of the Report stand an Order of the Day for to-morrow.
 12. Land Titles Declaration Bill :—The Attorney General, as Chairman, brought up a Second Progress Report from, and the Minutes of the Proceedings of, the Select Committee to whom the Property Law and Trustees Relief Bill was referred on the 17th ultimo, with a copy of such Bill *as amended and agreed to* in the Committee.
Ordered, That the second reading stand an Order of the Day for this day week, and that, in the meantime, the Bill, Report, and Minutes of Proceedings, be printed.
 13. Public Bridges' Tolls Bill, on motion of the Secretary for Lands, read a second time ;—
Ordered, That the Committal of this Bill stand an Order of the Day for to-morrow.
 14. Medical Bill :—
(1.) Dr. Macfarlane moved, pursuant to notice, That the Petition presented by him, on the 14th instant, from certain legally qualified Medical Practitioners, praying that the Medical Bill may pass, be printed.
Question put and passed.
Ordered to be printed.
(2.) Dr. Macfarlane moved, pursuant to notice, That the Petition presented by him, on the 14th instant, from Thomas Hogg, retired Medical Officer, late Honorable East India Company's Service, praying that the Medical Bill may pass, be printed.
Question put and passed.
Ordered to be printed.
- The House adjourned at twenty-five minutes before Seven o'clock, until To-morrow, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, NOVEMBER 21.

GENERAL BUSINESS—NOTICES OF MOTION :—

1. MR. DEAS THOMSON to move, That the Petition presented by him, on the 20th instant, from Thomas Isely, purporting to be on behalf of the Inhabitants of Carcoar, praying the House to take into consideration certain circumstances therein mentioned in relation to Western Railway Extension, be printed.
2. MR. DEAS THOMSON to move, That the Petition presented by him, on the 20th instant, from George McKay, purporting to be on behalf of the Inhabitants of the Town and District of Orange, praying the House to take into consideration the claims of the Western Districts in relation to Railway Extension, be printed.

ORDERS OF THE DAY :—

1. Church and School Lands Bill ; Resumption of the Adjourned Debate on the Motion of Mr. Gordon, " That this Bill be now read a second time."
2. Medical Bill ; Second Reading.
3. Wagga Wagga Bridge Company's Bill ; Third Reading.
4. Pyrmont Bridge Company's Supplementary Bill ; Second Reading.

GOVERNMENT

OF THE LEGISLATIVE COUNCIL.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Wollongong Tonnage Duty Bill; To be considered in Committee.
2. Kiama Tonnage Duty Bill; To be considered in Committee.
3. Insolvency Laws Amendment Bill; To be considered in Committee.
4. Navigable Waters Protection Bill; To be considered in Committee.
5. Land Titles Declaration Bill Reported; Adoption of the Report.
6. Land Transfer, and Registry Bill Reported; Adoption of the Report.
7. Public Bridges' Tolls Bill; To be considered in Committee.

WEDNEEDAY, NOVEMBER 27.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sale of Liquors Licensing Bill; Second Reading.
2. Legislative Council Bill; Second Reading.
3. Property Law and Trustees Relief Bill; second Reading.

R. O'CONNOR,

Clerk of the Legislative Council.

[Price, 1d.]

NOTICES OF MOTION AND ORDERS OF THE DAY

THURSDAY, NOVEMBER 28

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

Agenda for the day:—
 1. Sale of Liquors Licensing Bill; Second Reading.
 2. Legislative Council Bill; Second Reading.
 3. Property Law and Trustees Relief Bill; second Reading.

Agenda for the day:—
 1. Sale of Liquors Licensing Bill; Second Reading.
 2. Legislative Council Bill; Second Reading.
 3. Property Law and Trustees Relief Bill; second Reading.

FINISHED

No. 24.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 21 NOVEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-four minutes after Four o'clock.

Members Present:—

The Honorable William Charles Wentworth, President,

<p>The Honorable George Allen, The Honorable Edward Butler, The Honorable William Byrnes, The Honorable John Campbell, The Honorable John Bayley Darvall, Q.C., The Honorable Samuel Deane Gordon, The Honorable John Fletcher Hargrave, The Honorable George Kenyon Holden, The Honorable Charles Kemp, The Honorable Alexander Macarthur,</p>	<p>The Honorable John Macfarlane, The Honorable Sir William Montagu Manning, Knight, Q.C., The Honorable Francis Lewis Shaw Merewether, The Honorable James Mitchell, The Honorable John Robertson, The Honorable Ralph Nayer Robey, The Honorable Bourn Russell, The Honorable William Russell.</p>
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2. Medical Bill:—Mr. Darvall presented a Petition from Thomas Russell Duigan, M.D., praying that this Bill may pass.
Petition received.
3. Paper:—The Secretary for Lands, *By Command*, laid upon the Table a Correspondence respecting Relief of Poor Persons by Benevolent and Hospital Societies, and the appropriation of Fines applicable thereto.
Ordered to be printed.
4. Western Railway Extension:—
(1.) Mr. Darvall, on behalf of Mr. Deas Thomson, moved, pursuant to notice, That the Petition presented by Mr. Deas Thomson, on the 20th instant, from Thomas Leely, purporting to be on behalf of the Inhabitants of Carcoar, praying the House to take into consideration certain circumstances therein mentioned in relation to Western Railway Extension, be printed.
Question put and passed.
Ordered to be printed.
(2.) Mr. Darvall, on behalf of Mr. Deas Thomson, moved, pursuant to notice, That the Petition presented by Mr. Deas Thomson, on the 20th instant, from George McKay, purporting to be on behalf of the Inhabitants of the Town and District of Orange, praying the House to take into consideration the claims of the Western Districts in relation to Railway Extension, be printed.
Question put and passed.
Ordered to be printed.
5. Church and School Lands Bill:—The Adjourned Debate on the motion of Mr. Gordon, "That this Bill be '*now*' read a second time,"—resumed.
Mr. Kemp moved, That the Question be amended by the omission of the word '*now*,' in order to add at the end the words "this day six months."
Debate continued.
Question put,—That the word proposed to be omitted stand part of the Question.
The House divided.

Ayes, 3.

Mr. Gordon,
Mr. W. Russell, } Tellers.
Mr. Butler,

Noes, 12.

Mr. Macarthur, Mr. Robey,
Mr. Byrnes, Mr. Campbell,
Sir W. M. Manning, Knight, Q.C., Mr. Mitchell,
Mr. Kemp, Mr. B. Russell,
Mr. Allen, Mr. Hargrave, } Tellers.
Mr. Merewether, Dr. Macfarlane,

Question

Question put,—That the words proposed to be added at the end of the Question, be there added.

The House divided.

Ayes, 12.

Mr. Byrnes, Mr. Merewether,
Mr. Macarthur, Mr. Mitchell,
Mr. Kemp, Mr. B. Russell,
Sir W. M. Manning, Mr. Roboy,
Knt., Q.C., Mr. Hargrave, } Tellers.
Mr. Allen, Dr. Macfarlane,
Mr. Campbell,

Noes, 3.

Mr. Gordon,
Mr. W. Russell, } Tellers.
Mr. Butler,

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

6. Postponement:—The second reading of the Medical Bill postponed, on motion of Dr. Macfarlane, until Wednesday next.
7. Wagga Wagga Bridge Company's Bill, on motion of Mr. Gordon, read a third time, and passed.

Mr. Gordon then moved, That the Title of this Bill be "*An Act to Incorporate the 'Wagga Wagga Bridge Company.'*"

Question put and passed;—

Whereupon Mr. Gordon moved, That this Bill be returned to the Legislative Assembly, with the following Message:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill returned herewith, intituled, "*An Act to Incorporate the 'Wagga Wagga Bridge Company,'*" with the Amendment indicated by the accompanying Schedule, in which Amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,

Sydney, November, 1861.

President.

WAGGA WAGGA BRIDGE COMPANY'S BILL.

SCHEDULE of the Amendment made by the Legislative Council in the Bill, intituled, "An Act to Incorporate the 'Wagga Wagga Bridge Company,'" returned to the Legislative Assembly, with Message of 21st November, 1861.

R. O'CONNOR,

Clerk of the Legislative Council.

Page, 2, clause 6, line 54. After "river" insert "that is to say that a height of
"not less than seven feet be preserved between the
"top of the highest bank of the said river at the
"site of the said Bridge and the lower surface of
"the said Bridge."

Examined,—

GEORGE ALLEN,

Chairman of Committees.

Question put and passed.

8. Pyrmont Bridge Company's Supplementary Bill, on motion of Mr. Butler, on behalf of Mr. Holden, read a second time;—
Ordered, That the Committal of this Bill stand an Order of the Day for Thursday next.
9. Wollongong Tonnage Duty Bill:—On motion of the Secretary for Lands, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.
The Chairman reported the Bill without Amendment;—
And the House having adopted the Report;—
Ordered, That the third reading of this Bill stand an Order of the Day for Wednesday next.
10. Kiama Tonnage Duty Bill:—On motion of the Secretary for Lands, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.
The Chairman reported the Bill without Amendment;—
And the House having adopted the Report;—
Ordered, That the third reading of this Bill stand an Order of the Day for Wednesday next.
11. Insolvency Laws Amendment Bill:—On motion of the Attorney General, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.
The Chairman reported the Bill with Amendments;—
Ordered, That the Adoption of the Report stand an Order of the Day for Wednesday next.
12. Postponement:—The consideration in Committee of the Navigable Waters Protection Bill postponed, on motion of the Attorney General, until Wednesday next.
13. Land Titles Declaration Bill Reported:—The Report of this Bill from the Committee of the Whole Council having been adopted, on motion of the Attorney General;—
Ordered, That the third reading stand an Order of the Day for Wednesday next.

- 14.. Land Transfer and Registry Bill Reported:—The Report of this Bill from the Committee of the Whole Council having been adopted, on motion of the Attorney General;—
Ordered, That the third reading stand an Order of the Day for Wednesday next.
15. Public Bridges' Tolls Bill:—On motion of the Secretary for Lands, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.
 The Chairman reported the Bill without Amendments;—
 And the House having adopted the Report;—
Ordered, That the third reading of this Bill stand an Order of the Day for Wednesday next.
- The House adjourned at three minutes after Eight o'clock, until Wednesday next, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, NOVEMBER 27.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sale of Liquors Licensing Bill; Second Reading.
2. Legislative Council Bill; Second Reading.
3. Property Law and Trustees Relief Bill; Second Reading.
4. Wollongong Tonnage Duty Bill; Third Reading.
5. Kiama Tonnage Duty Bill; Third Reading.
6. Insolvency Laws Amendment Bill Reported; Adoption of the Report.
7. Navigable Waters Protection Bill; To be considered in Committee.
8. Land Titles Declaration Bill; Third Reading.
9. Land Transfer and Registry Bill; Third Reading.
10. Public Bridges' Tolls Bill; Third Reading.

GENERAL BUSINESS—ORDER OF THE DAY:—

1. Medical Bill; Second Reading.

THURSDAY, NOVEMBER 28.

GENERAL BUSINESS—ORDER OF THE DAY:—

1. Pyrmont Bridge Company's Supplementary Bill; To be considered in Committee.

R. O'CONNOR,

Clerk of the Legislative Council.

No. 25.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 27 NOVEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-five minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,

The Honorable George Allen,
The Honorable Edward Butler,
The Honorable William Byrnes,
The Honorable John Bayley Darvall, Q.C.,
The Honorable Robert Fitzgerald,
The Honorable Samuel Deane Gordon,
The Honorable John Fletcher Hargrave,
The Honorable George Kenyon Holden,
The Honorable Charles Kemp,
The Honorable John Macfarlane,

The Honorable Sir William Montagu
Manning, Knight, Q.C.,
The Honorable Francis Lewis Shaw
Merewether,
The Honorable James Mitchell,
The Honorable John Robertson,
The Honorable Bourn Russell,
The Honorable William Russell,
The Honorable Edward Wolstenholme
Ward, Captain, R.E.

2. Leave of Absence :—

(1.) For one month, granted to Mr. Macarthur, on motion of Mr. Allen.

(2.) For one month, granted to Mr. Deas Thomson, on motion of Sir W. M. Manning.

3. Isabella Mary Kelly :—Mr. Darvall presented a Petition from Isabella Mary Kelly, setting forth certain grievances arising out of her prosecution of one Charles Skerrett, in 1855, and praying protection from future aggression, and such redress as to the House shall seem just.
Petition received.

4. Sale of Liquors Licensing Bill :—Dr. Macfarlane presented a Petition from the Minister, Elders, and Deacons of the Scots' Church, Pitt-street, Sydney, praying the House to withhold its sanction from any Bill that would deprive Publicans of the rest and privileges of the Sabbath, and bring national judgments on the community by increasing vice and immorality.
Petition received.

5. Medical Bill :—Mr. Merewether presented a Petition from certain Physicians and Surgeons, practising in Sydney and its suburbs, praying that this Bill may not pass.
Petition received.

6. Sale of Liquors Licensing Bill, on motion of the Attorney General, read a second time ;—
Ordered, That the Committal of this Bill stand an Order of the Day for this day week.

7. Postponement :—The second reading of the Legislative Council Bill postponed, on motion of the Attorney General, until this day week.

8. Property Law and Trustees Relief Bill, on motion of the Attorney General, read a second time ;—

Ordered, That the Committal of this Bill stand an Order of the Day for to-morrow.

9. Wollongong Tonnage Duty Bill, on motion of the Attorney General, read a third time, and *passed*.

The Attorney General then moved, That the Title of this Bill be "*An Act to provide by a Tonnage Duty for repaying a Loan to Improve Wollongong Harbour.*"

Question put and passed ;—

Whereupon

Whereupon the Attorney General moved, That this Bill be returned to the Legislative Assembly, with the following Message :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to provide by a Tonnage Duty for repaying a Loan to Improve Wollongong Harbour*," returns the same to the Legislative Assembly, without amendment.

Legislative Council Chamber,

Sydney, November, 1861.

President.

Question put and passed.

10. *Kiama Tonnage Duty Bill*, on motion of the Attorney General, read a third time, and passed.

The Attorney General then moved, That the Title of this Bill be "*An Act to provide by a Tonnage Duty for repaying a Loan to Improve Kiama Harbour*."

Question put and passed ;—

Whereupon the Attorney General moved, That this Bill be returned to the Legislative Assembly, with the following Message :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to provide by a Tonnage Duty for repaying a Loan to Improve Kiama Harbour*," returns the same to the Legislative Assembly, without amendment.

Legislative Council Chamber,

Sydney, November, 1861.

President.

Question put and passed.

11. Assent to Bills:—The following Message, from His Excellency the Governor, received and read :—

JOHN YOUNG,

Governor.

Message No. 5.

The undermentioned Bills having been passed by the Legislative Council and Assembly, and presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bills, and transmitted them to the Legislative Council to be numbered and forwarded to the proper Officer for enrolment in the manner required by law, viz. :—

(1.) *An Act to regulate and restrict the Immigration of Chinese.*

(2.) *An Act to amend the Laws relating to the Gold Fields.*

Government House,

Sydney, 27th November, 1861.

12. *Insolvency Laws Amendment Bill* Reported :—The Attorney General moved, That the Report of this Bill from the Committee of the Whole Council be now adopted.

Debate ensued.

Question put and passed ;—

Ordered, That the third reading stand an Order of the Day for to-morrow.

13. *Navigable Waters Protection Bill* :—On motion of the Attorney General, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.

The Chairman reported progress, and obtained leave to sit again this day week.

14. *Land Titles Declaration Bill*, on motion of the Attorney General, read a third time.

The Attorney General then moved,—

(1.) That Clause 40 be struck out.

Question put and passed.

(2.) That Clause 41 be struck out.

Question put and passed.

(3.) That lines 48 and 49 of Clause 59, be struck out.

Question put and passed.

(4.) That the two Provisos at the end of Clause 61, be struck out.

Question put and passed.

(5.) That Clause 62 be struck out.

Question put and passed.

And the said Clauses and parts of Clauses being struck out by the Clerk,—

The Attorney General moved, That this Bill, with the said Clauses and parts of Clauses so struck out, do now pass:

Question put and passed.

The Attorney General then moved, That the Title of this Bill be "*An Act to ascertain and declare Titles to Land*."

Question put and passed ;—

Whereupon the Attorney General moved, That this Bill be carried to the Legislative Assembly, with the following Message :—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled, "*An Act to ascertain and declare Titles to Land*," presents the same to the Legislative Assembly, for its concurrence.

Legislative Council Chamber,

Sydney, November, 1861.

President.

Question put and passed.

15. Land Transfer and Registry Bill, on motion of the Attorney General, read a third time.

The Attorney General then moved,—

(1.) That the two Provisos at the end of Clause 71 be struck out.

Question put and passed.

(2.) That Clause 72 be struck out.

Question put and passed.

(3.) That all the words of Clause 73, following the word "determined," in line 3, page 10, be struck out.

Question put and passed.

And the said Clause and parts of Clauses being struck out by the Clerk,—

The Attorney General moved, That this Bill, with the said Clause and parts of Clauses so struck out, do now pass.

Question put and passed.

The Attorney General then moved, That the Title of this Bill be "*An Act to facilitate the Transfer of Land.*"

Question put and passed;—

Whereupon the Attorney General moved, That this Bill be carried to the Legislative Assembly, with the following Message:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled, "*An Act to facilitate the Transfer of Land,*" presents the same to the Legislative Assembly, for its concurrence.

*Legislative Council Chamber,
Sydney, November, 1861.*

President.

Question put and passed.

16. Public Bridges' Tolls Bill, on motion of the Attorney General, read a third time, and passed.

The Attorney General then moved, That the Title of this Bill be "*An Act to remove doubts respecting Tolls upon Public Bridges.*"

Question put and passed;—

Whereupon the Attorney General moved, That this Bill be returned to the Legislative Assembly, with the following Message:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to remove doubts respecting Tolls upon Public Bridges,*" returns the same to the Legislative Assembly, without amendment.

*Legislative Council Chamber,
Sydney, November, 1861.*

President.

Question put and passed.

17. Postponement:—The second reading of the Medical Bill postponed, on motion of Dr. Macfarlane, until to-morrow.

The House adjourned at twenty-one minutes before Seven o'clock, until To-morrow, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, NOVEMBER 28.

Question:—

1. MR. HOLDEN to ask THE SECRETARY FOR LANDS,—Whether any Despatch has been received from the Right Honorable the Secretary of State, respecting the appointment of the twenty-one Members of the late Legislative Council to whom Writs of Summons were issued on the 10th May, 1861; and if so, whether there be any objection to lay such Despatch on the Table of this House?

GENERAL BUSINESS—NOTICES OF MOTION:—

1. MR. MEREWETHER to move, That the Petition presented by him on the 27th instant, from certain Physicians and Surgeons, practising in Sydney and its suburbs, praying that the Medical Bill may not pass, be printed.
2. DR. MACFARLANE to move, That the Petition, presented by him on the 27th instant, from the Minister, Elders, and Deacons of the Scots' Church, Pitt-street, Sydney, praying the House to withhold its sanction from any Bill that would deprive Publicans of the rest and privileges of the Sabbath, and bring national judgments on the community by increasing vice and immorality, be printed.

ORDERS

MINUTES OF THE PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

ORDERS OF THE DAY:—

1. Pyrmont Bridge Company's Supplementary Bill; To be considered in Committee.
2. Medical Bill; Second Reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Property Law and Trustees Relief Bill; To be considered in Committee.
2. Insolvency Laws Amendment Bill; Third Reading.

WEDNESDAY, DECEMBER 4.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sale of Liquors Licensing Bill; To be considered in Committee.
2. Legislative Council Bill; Second Reading.
3. Navigable Waters Protection Bill; To be further considered in Committee.

R. O'CONNOR,

Clerk of the Legislative Council.

[Price, 1d.]

No. 26.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 28 NOVEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-three minutes after Four o'clock.

Members Present:—

The Honorable William Charles Wentworth, President,

The Honorable George Allen,
The Honorable Edward Butler,
The Honorable Robert Fitzgerald,
The Honorable John Fletcher Hargrave,
The Honorable George Kenyon Holden,
The Honorable Charles Kemp,
The Honorable John Macfarlane,

The Honorable Francis Lewis Shaw
Merewether,
The Honorable James Mitchell,
The Honorable John Robertson,
The Honorable Bourn Russell,
The Honorable William Russell,
The Honorable Edward Wolstenholme
Ward, Captain, R.E.,

2. Papers:—The Secretary for Lands laid upon the Table the undermentioned Papers:—
(1.) *Under 20 Vict., No. 41*—Scales of Charges and Regulations for the transmission of Messages by Electric Telegraph in New South Wales, and between New South Wales and the Colonies of Victoria, South Australia, and Queensland.
(2.) *By Command*—Despatch from Secretary of State, bearing date 26th September, 1861, respecting a proposed separation from New South Wales and annexation to Queensland of the Districts of Clarence and Richmond Rivers.
Ordered to be printed.
3. Plans and Sections of Proposed Railway Extensions:—The Secretary for Lands informed the House, that the Plans, Sections, and Books of Reference of the Proposed Railway Extensions are deposited in the Parliamentary Library for inspection, in accordance with the requirement of the 9th section of the Government Railways Act, 22 Vict., No. 19.
4. Members Summoned to Legislative Council on 10th May, 1861:—Mr. Holden having, pursuant to notice, asked the Secretary for Lands,—Whether any Despatch has been received from the Right Honorable the Secretary of State, respecting the appointment of the twenty-one Members of the late Legislative Council to whom Writs of Summons were issued on the 10th May, 1861; and if so, whether there be any objection to lay such Despatch on the Table of this House,—
The Secretary for Lands replied,—The Government have received no such Despatch, but should they do so—a very improbable event—there would be no objection to lay it on the Table.
In reply to a further Question from Mr. Holden, the Secretary for Lands added, that, if His Excellency the Governor received any Public Despatch he apprehended it would be communicated to the Government; but, on behalf of the Government, he would say that no such despatch as that alluded to has been received.
5. Medical Bill:—Mr. Merewether moved, pursuant to notice, That the Petition presented by him on the 27th instant, from certain Physicians and Surgeons, practising in Sydney and its suburbs, praying that the Medical Bill may not pass, be printed.
Debate ensued.
Question put and passed..
Ordered to be printed.

6. Sale of Liquors Licensing Bill :—Dr. Macfarlane moved, pursuant to notice, That the Petition, presented by him on the 27th instant, from the Minister, Elders, and Deacons of the Scots' Church, Pitt-street, Sydney, praying the House to withhold its sanction from any Bill that would deprive Publicans of the rest and privileges of the Sabbath, and bring national judgments on the community by increasing vice and immorality, be printed.
Question put and passed.
Ordered to be printed.
7. Nathaniel Lipscomb Kentish :—Mr. Holden presented a Petition from Nathaniel Lipscomb Kentish, complaining of his summary dismissal from the office of Clerk of Petty Sessions and from the Public Service, upon a report alleged by him to be false, and praying redress.
Petition received.
8. Pyrmont Bridge Company's Supplementary Bill :—Mr. Holden moved, That the President do now leave the Chair, and the House resolve itself into a Committee of the whole, for consideration of this Bill,—
And the Chairman of Committees, Mr. Allen, having intimated to the House that he is a Shareholder in, and the Chairman of this Company,—
Question, *as then by leave amended*, That the President do now leave the Chair, and the House resolve itself into a Committee of the Whole, for consideration of this Bill, and that Mr. Merewether do take the Chair of the Committee on this occasion,—
put and passed ;—
Whereupon the President left the Chair, and the House resolved itself into a Committee of the Whole accordingly.
The Chairman reported the Bill without Amendment,—
And the House having adopted the Report ;—
Ordered, That the third reading stand an Order of the Day for Thursday next.
9. Medical Bill :—Dr. Macfarlane moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed ;—
Bill read a second time ;—
Ordered, That the Committal of this Bill stand an Order of the Day for Thursday next.
10. Postponement :—The consideration in Committee of the Property Law and Trustees Relief Bill postponed, on motion of the Attorney General, until Wednesday next.
11. Insolvency Laws Amendment Bill, on motion of the Attorney General, read a third time, and *passed*.
The Attorney General then moved, That the Title of this Bill be "*An Act to amend the Laws relating to Insolvency.*"
Question put and passed ;—
Whereupon the Attorney General moved, That this Bill be returned to the Legislative Assembly, with the following Message :—
MR. SPEAKER,
The Legislative Council has this day agreed to the Bill returned herewith, intituled, "*An Act to amend the Laws relating to Insolvency,*" with the Amendments indicated by the accompanying Schedule, in which Amendments the Council requests the concurrence of the Legislative Assembly.
Legislative Council Chamber,
Sydney, November, 1861.

President.

INSOLVENCY LAWS AMENDMENT BILL.

SCHEDULE of the Amendments made by the Legislative Council in the Bill, intituled, "An Act to amend the Laws relating to Insolvency," returned to the Legislative Assembly, with Message of 28th November, 1861.

R. O'CONNOR,
Clerk of the Legislative Council.

Page 2. After clause 3 insert the following new clause :—

Amending
Section 8 of
Insolvent Act.

- "4. No alienation transfer gift surrender delivery mortgage or pledge warrant of attorney *cognovit actionem* or judgment entered up thereon shall be deemed to be wholly void under section eight of the Insolvent Act passed in the fifth year of Her Majesty's Reign by reason only that a pre-existing debt formed a part of the consideration therefor but the same shall be void only in so far as it gives preference to any such debt. And in any such case the same shall be in the nature of a mortgage or pledge and otherwise valid be deemed a lawful security for any advance or payment *bona fide* made in consideration thereof or if the same be in the nature of an absolute alienation and otherwise valid the person in whose favor it shall have been made shall be bound and obliged to pay the amount of the pre-existing debt so preferred for the behoof of the creditors of the Insolvent."

Page

- Page 2, clause 4, line 5. At the commencement of the clause insert "The Chief
"Commissioner of Insolvent Estates sitting in Insol-
"vency shall have all the authority and powers of a
"Judge of a Court of Record and"
- " " line 7. After "Estates—" insert "the appointment of the Official
"Assignees of such estates respectively—"
- " " line 10. After "ordering of" insert "the payment of dividends and
"of other moneys belonging to Insolvent Estates—
"the ordering of"
- " " line 13. Omit "shall be and the same are hereby transferred to and
"vested in," insert "may be exercised by."
- Page 3, clause 11, line 10. Omit "made by the Judges."

Examined,—

GEORGE ALLEN,
Chairman of Committees.

Question put and passed.

The House adjourned at seventeen minutes before Six o'clock, until Wednesday next,
at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, DECEMBER 4.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. THE SECRETARY FOR LANDS to move, That this House approves of the Plans and Sections, and Books of Reference of a proposed extension of the Great Western Railway from its present terminus, on the east side of the Town of Penrith, to a Terminus at or near the River Nepean; of the Great Northern Railway from Maitland to Morpeth; and of the Great Southern Railway from Picton to Goulburn;—deposited in the Parliamentary Library for inspection, under the 9th sec. of the Government Railways Act, 22 Vic., No. 19.

ORDERS OF THE DAY:—

1. Sale of Liquors Licensing Bill; To be considered in Committee.
2. Legislative Council Bill; Second Reading.
3. Navigable Waters Protection Bill; To be further considered in Committee.
4. Property Law and Trustees Relief Bill; To be considered in Committee.

GENERAL BUSINESS—NOTICE OF MOTION:—

1. MR. HOLDEN to move, That the Petition presented by him, on the 28th ultimo, from Nathaniel Lipscomb Kentish, complaining of his summary dismissal from the Office of Clerk of Petty Sessions and from the Public Service, upon a report alleged by him to be false, and praying redress, be printed.

THURSDAY, DECEMBER 5.

GENERAL BUSINESS—ORDERS OF THE DAY:—

1. Pyrmont Bridge Company's Supplementary Bill; Third Reading.
2. Medical Bill; To be considered in Committee.

R. O'CONNOR,
Clerk of the Legislative Council.

No. 27.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 4 DECEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-five minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,

The Honorable George Allen,
The Honorable Edward Butler,
The Honorable William Byrnes,
The Honorable John Campbell,
The Honorable Samuel Deane Gordon,
The Honorable John Fletcher Hargrave,
The Honorable George Kenyon Holden,
The Honorable Charles Kemp,
The Honorable John Macfarlane,
The Honorable Sir William Montagu
Manning, Knight, Q.C.,

The Honorable Francis Lewis Shaw
Merewether,
The Honorable James Mitchell,
The Honorable John Robertson,
The Honorable Bourn Russell,
The Honorable William Russell,
The Honorable Edward Wolstenholme
Ward, Captain, R.E.,
The Honorable John Brown Watt.

2. Medical Bill.—Dr. Macfarlane presented a Petition from certain legally qualified Medical Practitioners, praying that this Bill may pass.
Petition received.
3. Sale of Liquors Licensing Bill :—
(1.) Mr. Campbell presented a Petition from certain Clergymen and other Residents in the Parish of St. Philip, Sydney, praying that provision may be made in this Bill to close Public Houses during the whole of the Lord's Day to all persons except *bona fide* Travellers.
Petition received.
(2.) Mr. Campbell presented a Petition from certain other Clergymen and Residents of the Parish of St. Philip, Sydney, with a similar prayer.
Petition received.
4. Wagga Wagga Bridge Company's Bill :—The President reported the following Message from the Legislative Assembly :—
MR. PRESIDENT,
The Legislative Assembly has this day agreed to the Amendment made by the Legislative Council in the Bill, intituled, "*An Act to Incorporate the Wagga Wagga Bridge Company.*"
Legislative Assembly Chamber,
Sydney, 29 November, 1861.
T. A. MURRAY,
Speaker.
5. Assent to Bills :—The following Message from His Excellency the Governor received and read :—
JOHN YOUNG,
Governor.
Message, No. 6.

The undermentioned Bills having been passed by the Legislative Council and Assembly, and presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bills, and now transmits them to the Legislative Council to be numbered and forwarded to the proper Officer for enrolment in the manner required by law, viz. :—

- (1.) "An Act to provide by a Tonnage Duty for repaying a Loan to Improve "Wollongong Harbour."
(2.) "An Act to provide by a Tonnage Duty for repaying a Loan to Improve "Kiama Harbour."
(3.) "An Act to remove doubts respecting Tolls upon Public Bridges."

6. Plans and Sections of Proposed Railway Extensions :—The Secretary for Lands moved, pursuant to notice, That this House approves of the Plans and Sections, and Books of Reference of a proposed extension of the Great Western Railway from its present Terminus, on the east side of the Town of Penrith, to a Terminus at or near the River Nepean; of the Great Northern Railway from Maitland to Morpeth; and of the Great Southern Railway from Picton to Goulburn;—deposited in the Parliamentary Library for inspection, under the 9th sec. of the Government Railways Act, 22 Vic., No. 19. Sir W. M. Manning moved, That the Debate of this Question be adjourned until this day week.
Debate ensued!
Question—That the Debate of this Question be adjourned until this day week,—put and negatived.
Debate continued. •
Question put and passed.

7. Sale of Liquors Licensing Bill :—On motion of the Attorney General, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.

The Chairman reported progress, and obtained leave to sit again to-morrow.

8. Insolvency Laws Amendment Bill :—The President reported the following Message from the Legislative Assembly :—

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message, dated the 28th ultimo, requesting its concurrence in certain Amendments made by the Council in the Insolvency Laws Amendment Bill;—Disagrees from the Amendment which proposes the insertion after clause 3 of a new clause to stand clause 4 :—Because this alteration is not of an urgent character, and there are commercial as well as legal doubts of its expediency. After fuller consideration it may be provided for in a future Bill for amending the Insolvent Laws generally.

Agrees to the Amendment in page 2, clause 4, line 5.

Disagrees from the Amendment in page 2, clause 4, line 7 :—Because the inserted words are unnecessary—their object being provided for by the previous general words.

Agrees to the Amendment in page 2, clause 4, line 10.

Disagrees from the Amendment in page 2, clause 4, line 13 :—Because the proposed alteration introduces a concurrent Jurisdiction which may be inconvenient; and the contingency of the Chief Commissioner's absence or illness is already provided for by Law.

And agrees to the Amendment in page 3, clause 11, line 10.

Legislative Assembly Chamber,
Sydney, 4 December, 1861.

T. A. MURRAY,
Speaker.

Ordered, on motion of the Attorney General, That the consideration of this Message in Committee stand an Order of the Day for to-morrow.

9. Postponements :—

(1.) The Attorney General moved, That the second reading of the Legislative Council Bill be postponed until to-morrow, and have precedence over all other business for that day.

Debate ensued ;—

And the President ruling that this Motion could not be entertained without previous Notice, put a Question, That the second reading of this Bill stand an Order of the Day for to-morrow, and have precedence over all other Government Business,—which passed in the affirmative.

(2.) The further consideration in Committee of the Navigable Waters Protection Bill postponed, on motion of the Attorney General, until to-morrow.

(3.) The consideration in Committee of the Property Law and Trustees Relief Bill postponed, on motion of the Attorney General, until to-morrow.

10. Nathaniel Lipscomb Kentish :—Mr. Holden moved, pursuant to notice, That the Petition presented by him, on the 28th ultimo, from Nathaniel Lipscomb Kentish, complaining of his summary dismissal from the Office of Clerk of Petty Sessions and from the Public Service, upon a report alleged by him to be false, and praying redress, be printed.

Question put and passed.

Ordered to be printed.

The House adjourned at six minutes before Eleven o'clock, until To-morrow, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, DECEMBER 5.

GENERAL BUSINESS—NOTICES OF MOTION :—

1. DR. MACFARLANE to move, That the Petition presented by him, on the 4th instant, from certain legally qualified Medical Practitioners, praying that the Medical Bill may pass, be printed.
2. MR. CAMPBELL to move, That the Petition presented by him, on the 4th instant, from certain Clergymen and other Residents in the Parish of St. Philip, Sydney, praying that provision may be made in the Sale of Liquors Licensing Bill to close Public Houses during the whole of the Lord's Day to all persons except *bonâ fide* Travellers, be printed.
3. MR. CAMPBELL to move, That the Petition presented by him, on the 4th instant, from certain other Clergymen and Residents of the Parish of St. Philip, Sydney, praying that provision may be made in the Sale of Liquors Licensing Bill to close Public Houses during the whole of the Lord's Day to all persons except *bonâ fide* Travellers, be printed.

ORDERS OF THE DAY :—

1. Pyrmont Bridge Company's Supplementary Bill; Third Reading.
2. Medical Bill; To be considered in Committee.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Legislative Council Bill; Second Reading.
2. Sale of Liquors Licensing Bill; To be further considered in Committee.
3. Insolvency Laws Amendment Bill; Consideration in Committee of Assembly's Message agreeing to some and disagreeing to other of the Council's Amendments in this Bill.
4. Navigable Waters Protection Bill; To be further considered in Committee.
5. Property Law and Trustees Relief Bill; To be considered in Committee.

R. O'CONNOR,

Clerk of the Legislative Council.

No. 28.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 5 DECEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-eight minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,

The Honorable George Allen,
The Honorable Edward Butler,
The Honorable William Byrnes,
The Honorable John Campbell,
The Honorable Samuel Deane Gordon,
The Honorable John Fletcher Hargrave,
The Honorable George Kenyon Holden,
The Honorable Charles Kemp,
The Honorable John Macfarlane,
The Honorable Sir William Montagu
Manning, Knight, Q.C.,

The Honorable Francis Lewis Shaw
Merewether,
The Honorable James Mitchell,
The Honorable John Robertson,
The Honorable Bourne Russell,
The Honorable William Russell,
The Honorable Edward Wolstenholme
Ward, Captain, R.E.,
The Honorable John Brown Watt.

2. Paper :—The Secretary for Lands, *By Command*, laid upon the Table, Despatch No. 3, from the New South Wales Emigration Commissioners, dated London, 25th September, 1861.

Ordered to be printed.

3. Medical Bill :—

(1.) Dr. Macfarlane presented a Petition from John Werner Günst, a duly qualified Medical Practitioner, praying that this Bill may pass.
Petition received.

(2.) Dr. Macfarlane moved, pursuant to notice, That the Petition presented by him, on the 4th instant, from certain legally qualified Medical Practitioners, praying that the Medical Bill may pass, be printed.

Question put and passed.

Ordered to be printed.

4. Motions withdrawn :—Mr. Campbell withdrew the motions standing in his name second and third on the Notice Paper of General Business for to-day.

5. Pymont Bridge Company's Supplementary Bill, on motion of Mr. Holden, read a third time, and *passed*.

Mr. Holden then moved, That the Title of this Bill be "*An Act to continue the powers of the Pymont Bridge Company to raise money by the issue of Debentures and by Mortgage.*"

Question put and passed ;—

Whereupon Mr. Holden moved, That this Bill be returned to the Legislative Assembly, with the following Message :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to continue the powers of the Pymont Bridge Company to raise money by the issue of Debentures and by Mortgage,*" returns the same to the Legislative Assembly, without amendment.

Legislative Council Chamber,

Sydney, December, 1861.

President.

Question put and passed.

6. Postponement :—The consideration in Committee of the Medical Bill postponed, on motion of Dr. Macfarlane, until the Order of the Day for the Second Reading of the Legislative Council Bill shall have been disposed of.

7. Assent to Wagga Wagga Bridge Company's Bill :—The following Message from His Excellency the Governor, received and read :—

JOHN YOUNG,

Message, No. 7.

Governor.

A Bill, intituled, "*An Act to Incorporate the 'Wagga Wagga Bridge Company,'*" having been passed by the Legislative Council and Assembly, and 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 now transmits it herewith to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,

Sydney, 5th December, 1861.

8. Legislative Council Bill ;—The Attorney General moved, That this Bill be "now read a second time."
Mr. Merewether 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 to a Select Committee to consider its several provisions, and to suggest any amendments which may be advisable for the Constitution of an Elective Upper House adapted to the performance of the important duties devolving on it; and that such Committee consist of the following Members :—Mr. Wentworth, Mr. Butler, Mr. Darvall, Mr. Gordon, Mr. Hargrave, Mr. Holden, Sir W. M. Manning, Mr. Robertson, Mr. Deas Thomson, and Mr. Merewether."
Debate ensued.
Mr. W. Russell moved, That this Debate be now adjourned until Wednesday next.
Debate continued.
Question,—That this Debate be now adjourned until Wednesday next,—put and passed.
9. Postponements :—
(1.) The consideration in Committee of the Medical Bill postponed, on motion of Dr. Macfarlane, until Thursday next.
(2.) The second, third, fourth, and fifth Orders on the Paper of Government Business for to-day severally postponed, on motion of the Attorney General, until Wednesday next.
10. Further Leave of Absence, for one month, granted to Mr. Plunkett, on motion of Mr. Butler.
The House adjourned at twenty-four minutes after Ten o'clock, until Wednesday next, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, DECEMBER 11.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Legislative Council Bill ; Resumption of the Adjourned Debate on the motion of the Attorney General, "That this Bill be 'now read a second time,' upon which Mr. Merewether had moved, by way of Amendment, 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 to a Select Committee to consider its several provisions, and to suggest any Amendments which may be advisable for the Constitution of an Elective Upper House, adapted to the performance of the important duties devolving on it; and that such Committee consist of the following Members :—Mr. Wentworth, Mr. Butler, Mr. Darvall, Mr. Gordon, Mr. Hargrave, Mr. Holden, Sir W. M. Manning, Mr. Robertson, Mr. Deas Thomson, and Mr. Merewether."
2. Sale of Liquors Licensing Bill ; To be further considered in Committee.
3. Insolvency Laws Amendment Bill ; Consideration in Committee of Assembly's Message agreeing to some and disagreeing to other of the Council's Amendments in this Bill.
4. Navigable Waters Protection Bill ; To be further considered in Committee.
5. Property Law and Trustees Relief Bill ; To be considered in Committee.

THURSDAY, DECEMBER 12.

GENERAL BUSINESS—ORDER OF THE DAY :—

1. Medical Bill ; To be considered in Committee.

R. O'CONNOR,

Clerk of the Legislative Council.

No. 29.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 11 DECEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-eight minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,

<p>The Honorable George Allen, The Honorable Edward Butler, The Honorable William Byrnes, • The Honorable John Campbell, The Honorable John Bayley Darvall, Q.C., The Honorable Samuel Deane Gordon, The Honorable John Fletcher Hargrave, The Honorable George Kenyon Holden, The Honorable Charles Kemp, The Honorable John Macfarlane,</p>	<p>The Honorable Sir William Montagu Manning, Knight, Q.C., The Honorable Francis Lewis Shaw Merewether, The Honorable James Mitchell; The Honorable John Robertson, The Honorable Bourn Russell, The Honorable William Russell, The Honorable Edward Wolstenholme Ward, Captain, R.E., The Honorable John Brown Watt.</p>
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2. Messages from the Legislative Assembly :—The President reported the following Messages from the Legislative Assembly :—

(1.) Richmond Bridge Company's Act Amendment Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to amend the Richmond Bridge Company's Act of 1857,*" 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, 1861.*

T. A. MURRAY,
Speaker:

Bill, on motion of the Attorney General, read a first time ;—

Ordered, That the second reading stand an Order of the Day for to-morrow, and that the Bill, in the meantime, be printed.

(2.) Judicial and other Offices Qualification Amendment Bill :—

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message, dated the 6th ultimo, requesting its concurrence in certain Amendments made by the Council in the Judicial and other Offices Qualification Amendment Bill,—

Agrees to the Amendment in the Preamble, and the Amendments in Clause 1 ;—
And Disagrees from the Amendment which proposes the insertion after Clause 1 of a new clause, to stand Clause 2 ;—Because the principle of the Bill is to place the Australian upon an equality with the English Bar, and the Charter of Justice provides that five years standing shall qualify an English Barrister for the office.

*Legislative Assembly Chamber,
Sydney, 9 December, 1861.*

T. A. MURRAY,
Speaker.

Ordered, on motion of the Attorney General, That the consideration of this Message in Committee stand an Order of the Day for to-morrow.

(3.)

(3.) Tobacco Duties Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to alter the Duties of Customs payable on Tobacco*," presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 11 December, 1861.*

T. A. MURRAY,
Speaker.

Bill, on motion of the Attorney General, read a first time ;—

Ordered, That the second reading stand an Order of the Day for to-morrow, and that the Bill, in the meantime, be printed.

(4.) River Murray Customs Amendment Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to authorize certain arrangements respecting Customs Duties on Goods brought into New South Wales by and across the River Murray*," presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 11 December, 1861.*

T. A. MURRAY,
Speaker.

Bill, on motion of the Attorney General, read a first time ;—

Ordered, That the second reading stand an Order of the Day for to-morrow, and that the Bill, in the meantime, be printed.

3. Postponements :—

(1.) The first Order on the Paper of Government Business for to-day postponed, on motion of the Attorney General, until the second and third Orders on the same Paper shall have been disposed of.

(2.) The second Order on the Paper of Government Business for to-day postponed, on motion of the Attorney General, until the third Order on the same Paper shall have been disposed of.

4. Insolvency Laws Amendment Bill :—On motion of the Attorney General, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of the Legislative Assembly's Message, agreeing to some and disagreeing to other of the Council's Amendments in this Bill. The Chairman reported no progress, and obtained leave to sit again at a later hour of the day.

5. Assent to Pyrmont Bridge Company's Supplementary Bill :—The following Message from His Excellency the Governor received and read :—

JOHN YOUNG,
Governor.

Message No. 8.

A Bill, intituled, "*An Act to continue the powers of the Pyrmont Bridge Company to raise money by the issue of Debentures and by Mortgage*," having been passed by the Legislative Council and Assembly, and 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 now transmits it herewith to the Legislative Council to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,
Sydney, 11 December, 1861.*

6. Insolvency Laws Amendment Bill :—On motion of the Attorney General, the President left the Chair, and the House resolved itself into a Committee of the Whole, for the further consideration of the Legislative Assembly's Message, agreeing to some and disagreeing to other of the Council's Amendments in this Bill.

The Chairman having reported that the Committee had agreed not to insist upon the Council's Amendments in this Bill disagreed to by the Legislative Assembly ;—

The Attorney General moved, That this Report be now adopted.

Question put and passed ;—

Whereupon the Attorney General moved, That the following Message be carried to the Legislative Assembly :—

MR. SPEAKER,

The Legislative Council, having had under consideration the Legislative Assembly's Message, dated the 4th instant, agreeing to some and disagreeing to other of the Amendments made by the Council in the Insolvency Laws Amendment Bill, does not insist upon its said Amendments so disagreed to.

*Legislative Council Chamber,
Sydney, 11 December, 1861.*

President.

Question put and passed

7. Sale of Liquors Licensing Bill :—Upon the Order of the Day being read, the President left the Chair, and the House resolved itself into a Committee of the Whole, for the further consideration of this Bill.

The Chairman reported the Bill with Amendments ;—

Ordered, That the Adoption of the Report stand an Order of the Day for to-morrow.

8. Legislative Council Bill:—The Adjourned Debate on the motion of the Attorney General, That this Bill be "now read a second time," upon which Mr. Merewether had moved, by way of amendment, 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 to a Select Committee to consider its several provisions, and to suggest any Amendments which may be advisable for the Constitution of an Elective Upper House, adapted to the performance of the important duties devolving on it; and that such Committee consist of the following Members:—Mr. Wentworth, Mr. Butler, Mr. Darvall, Mr. Gordon, Mr. Hargrave, Mr. Holden, Sir W. M. Manning, Mr. Robertson, Mr. Deas Thomson, and Mr. Merewether,—resumed."
- Motion made by Mr. Darvall, and Question, That this Debate be now adjourned until to-morrow, and have precedence over all other Business on the Paper for that day,—put and passed.
9. Postponements,—
- (1.) The further consideration in Committee of the Navigable Waters Protection Bill postponed, on motion of the Attorney General, until to-morrow.
 - (2.) The consideration in Committee of the Property Law and Trustees Relief Bill postponed, on motion of the Attorney General, until to-morrow.

The House adjourned at ten minutes after Ten o'clock, until To-morrow, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, DECEMBER 12.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Legislative Council Bill; Resumption of the Adjourned Debate on the motion of the Attorney General, "That this Bill be 'now read a second time,' upon which Mr. Merewether had moved, by way of Amendment, 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 to a Select Committee to consider its several provisions, and to suggest any Amendments which may be advisable for the Constitution of an Elective Upper House, adapted to the performance of the important duties devolving on it; and that such Committee consist of the following Members:—Mr. Wentworth, Mr. Butler, Mr. Darvall, Mr. Gordon, Mr. Hargrave, Mr. Holden, Sir W. M. Manning, Mr. Robertson, Mr. Deas Thomson, and Mr. Merewether."

GENERAL BUSINESS—ORDERS OF THE DAY:—

1. Medical Bill; To be considered in Committee.
2. Richmond Bridge Company's Act Amendment Bill; Second Reading.
3. Judicial and other Offices Qualification Amendment Bill; Consideration in Committee of Assembly's Message, disagreeing to one and agreeing to the other of the Council's Amendments in this Bill.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Tobacco Duties Bill; Second Reading.
2. River Murray Customs Amendment Bill; Second Reading.
3. Sale of Liquors Licensing Bill Reported; Adoption of the Report.
4. Navigable Waters Protection Bill; To be further considered in Committee.
5. Property Law and Trustees Relief Bill; To be considered in Committee.

B. O'CONNOR,

Clerk of the Legislative Council.

No. 30.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 12 DECEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at half-past Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,

The Honorable George Allen,
The Honorable Edward Butler,
The Honorable William Byrnes,
The Honorable John Bayley Darvall, Q.C.,
The Honorable Samuel Deane Gordon,
The Honorable John Fletcher Hargrave,
The Honorable George Kenyon-Holden,
The Honorable Charles Kemp,
The Honorable John Macfarlane,
The Honorable Sir William Montagu
Manning, Knight, Q.C.,

The Honorable Francis Lewis Shaw
Merewether,
The Honorable James Mitchell,
The Honorable John Robertson,
The Honorable Bourn Russell,
The Honorable William Russell,
The Honorable Edward Wolstenholme
Ward, Captain, R.E.,
The Honorable John Brown Watt.

2. *Legislative Council Bill:—*The Adjourned Debate on the motion of the Attorney General, That this Bill be "now read a second time," upon which Mr. Merewether had moved, by way of Amendment, 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 to a Select Committee to consider its several provisions and to suggest any Amendments which may be advisable for the Constitution of an Elective Upper House, adapted to the performance of the important duties devolving on it; and that such Committee consist of the following Members :—Mr. Wentworth, Mr. Butler, Mr. Darvall, Mr. Gordon, Mr. Hargrave, Mr. Holden, Sir W. M. Manning, Mr. Robertson, Mr. Deas Thomson, and Mr. Merewether,"—resumed.
Question put—That the words proposed to be omitted stand part of the Question.
The House divided.

Ayes, 3.

Mr. Robertson,
Mr. Hargrave,) Tellers.
Mr. B. Russell,)

Noes, 13.

Dr. Macfarlane, Capt. Ward, R.E.,
Mr. Merewether, Mr. Butler,
Mr. Holden, Mr. W. Russell,
Sir W. M. Man- Mr. Allen,
ning, Knt. Q.C., Mr. Kemp,
Mr. Watt, Mr. Gordon,) Tellers.
Mr. Byrnes, Mr. Mitchell,)

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 to a Select Committee to consider its several provisions and to suggest any Amendments which may be advisable for the Constitution of an Elective Upper House, adapted to the performance of the important duties devolving on it; and that such Committee consist of the following Members :—Mr. Wentworth, Mr. Butler, Mr. Darvall, Mr. Gordon, Mr. Hargrave, Mr. Holden, Sir W. M. Manning, Mr. Robertson, Mr. Deas Thomson, and Mr. Merewether—put and passed.

3. *Medical Bill :—*The Order of the Day for the consideration of this Bill in Committee, discharged from the Paper, on motion of Dr. Macfarlane ;—

Whereupon, on motion of Dr. Macfarlane, Bill discharged from the Paper.

4. *Richmond Bridge Company's Act Amendment Bill*, on motion of Mr. Gordon, read a second time ;—

Ordered, That the Committal of this Bill stand an Order of the Day for Wednesday next.

5. Judicial and other Offices Qualification Amendment Bill :—On motion of Mr. Butler, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of the Legislative Assembly's Message, disagreeing to one and agreeing to all the other of the Council's Amendments in this Bill.

The Chairman having reported that the Committee had agreed not to insist upon the Council's Amendment in this Bill disagreed to by the Legislative Assembly ;—

Mr. Butler moved, That this Report be now adopted.

Question put and passed ;—

Whereupon Mr. Butler moved, That the following Message be carried to the Legislative Assembly :—

MR. SPEAKER,

The Legislative Council, having had under consideration the Legislative Assembly's Message, dated the 9th instant, disagreeing to the Amendment proposing the insertion of a new Clause to stand Clause 2 of the Judicial and other Offices Qualification Amendment Bill, and agreeing to all the other Amendments made by the Council in the said Bill, does not insist upon its said Amendment so disagreed to.

Legislative Council Chamber,

Sydney, December, 1861.

President.

Question put and passed.

6. Tobacco Duties Bill, on motion of the Secretary for Lands, read a second time ;—

Ordered, That the Committal of this Bill stand an Order of the Day for Wednesday next.

7. River Murray Customs Amendment Bill :—The Secretary for Lands moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time ;—

Ordered, That the Committal of this Bill stand an Order of the Day for Wednesday next.

8. Sale of Liquors Licensing Bill Reported :—The Attorney General moved, "That" the Report of this Bill from the Committee of the Whole Council be now adopted.

Sir W. M. Manning moved, That the Question be amended by the omission of all the words thereof following the word "That" at the commencement, in order to the insertion in their place of the words "this Bill be now re-committed, with a view to the further consideration of Clauses 32, 33, 57, and 64."

Debate ensued.

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

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

Question,—That this Bill be now re-committed with a view to the further consideration of Clauses 32, 33, 57, and 64,—put and passed ;—

Whereupon the President left the Chair, and the House resolved itself into a Committee of the Whole accordingly.

The Chairman reported the Bill with a further Amendment ;—

Ordered, That the adoption of the Report of this Bill stand an Order of the Day for the next day of sitting.

9. Postponements :—

(1.) The further consideration in Committee of the Navigable Waters Protection Bill postponed, on motion of the Attorney General, until Wednesday next.

(2.) The consideration in Committee of the Property Law and Trustees Relief Bill postponed, on motion of the Attorney General, until Wednesday next.

The House adjourned at three minutes before Ten o'clock, until Wednesday next, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, DECEMBER 18.

GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Tobacco Duties Bill ; To be considered in Committee.
2. River Murray Customs Amendment Bill ; To be considered in Committee.
3. Sale of Liquors Licensing Bill Reported ; Adoption of the Report.
4. Navigable Waters Protection Bill ; To be further considered in Committee.
5. Property Law and Trustees Relief Bill ; To be considered in Committee.

GENERAL BUSINESS—ORDER OF THE DAY.

1. Richmond Bridge Company's Act Amendment Bill ; To be considered in Committee.

R. O'CONNOR,

Clerk of the Legislative Council.

No. 31.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 18 DECEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-one minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,

The Honorable George Allen,
The Honorable John Campbell,
The Honorable Samuel Deane Gordon,
The Honorable John Fletcher Hargrave,
The Honorable George Kenyon Holden,
The Honorable Charles Kemp,
The Honorable John Macfarlane,
The Honorable Sir William Montagu
Manning, Knight, Q.C.,

The Honorable Francis Lewis Shaw
Merewether,
The Honorable James Mitchell,
The Honorable John Robertson,
The Honorable William Russell,
The Honorable Edward Wolstenholme
Ward, Captain, R.E.

2. Tobacco Duties Bill :—On motion of the Attorney General, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.
The Chairman reported the Bill without Amendment ;—
And the House having adopted the Report ;—
Ordered, That the third reading of this Bill stand an Order of the Day for to-morrow.
3. River Murray Customs Amendment Bill :—On motion of the Secretary for Lands, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.
The Chairman reported the Bill without Amendment ;—
And the House having adopted the Report ;—
Ordered, That the third reading of this Bill stand an Order of the Day for to-morrow.
4. Sale of Liquors Licensing Bill Reported 2^o :—The Report 2^o of this Bill from the Committee of the Whole Council having been adopted, on motion of the Attorney General ;—
Ordered, That the third reading of this Bill stand an Order of the Day for to-morrow.
5. Navigable Waters Protection Bill :—Upon the Order of the Day being read, the President left the Chair, and the House resolved itself into a Committee of the Whole, for the further consideration of this Bill.
The Chairman reported the Bill with Amendments ;—
Ordered, That the Adoption of the Report stand an Order of the Day for to-morrow.
6. Property Law and Trustees Relief Bill :—On motion of the Attorney General the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill *as amended in Select Committee*.
The Chairman reported the Bill without Amendment ;—
And the House having adopted the Report ;—
Ordered, That the third reading of this Bill stand an Order of the Day for the day of sitting next following to-morrow.
7. Richmond Bridge Company's Act Amendment Bill :—On motion of Mr. Gordon the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.
The Chairman reported the Bill without Amendment ;—
And the House having adopted the Report ;—
Ordered, That the third reading of this Bill stand an Order of the Day for to-morrow.
- The House adjourned at three minutes after Six o'clock, until To-morrow, at Four o'clock.

NOTICES.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, DECEMBER 19.

Question :—

1. SIR W. M. MANNING *to ask* THE SECRETARY FOR LANDS,—When the Government intend to lay on the Table of this House the Papers on the subject of Assisted Immigration, which were, on the 10th of October last, ordered and promised to be produced, probably, in the course of that week; and which were, on the 20th November last, again promised for the following day; and why the order of the House has not yet been complied with?

GENERAL BUSINESS—ORDER OF THE DAY :—

1. Richmond Bridge Company's Act Amendment Bill; Third Reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Tobacco Duties Bill; Third Reading.
2. River Murray Customs Amendment Bill; Third Reading.
3. Sale of Liquors Licensing Bill; Third Reading.
4. Navigable Waters Protection Bill Reported; Adoption of the Report.

DAY OF SITTING NEXT FOLLOWING DECEMBER 19.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Property Law and Trustees Relief Bill; Third Reading.

R. O'CONNOR,

Clerk of the Legislative Council.

[Price, 1d.]

No. 32.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 19 DECEMBER, 1861

1. The House met pursuant to adjournment. The President took the Chair at twenty-eight minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,	
The Honorable George Allen, The Honorable Edward Butler, The Honorable John Bayley Darvall, Q.C., The Honorable John Fletcher Hargrave, The Honorable Charles Kemp, The Honorable John Macfarlane,	The Honorable Sir William Montagu Manning, Knight, Q.C., The Honorable Francis Lewis Shaw Merewether, The Honorable John Robertson, The Honorable Edward Wolstenholme Ward, Captain, R.E.

2. Assisted Immigration :—

(1.) Sir W. M. Manning having, pursuant to notice, asked the Secretary for Lands,—When the Government intend to lay on the Table of this House the Papers on the subject of Assisted Immigration, which were, on the 10th of October last, ordered, and promised to be produced probably in the course of that week; and which were, on the 20th November last, again promised for the following day; and why the order of the House has not yet been complied with?—The Secretary for Lands replied,—The papers are here; and the Order of the House was not complied with because I missed them in my box.

(2.) The Secretary for Lands then laid upon the Table the Return to the said Order, in reference to Assisted Immigration, adopted, on motion of Sir W. M. Manning, on the 10th October last.

Ordered to be printed.

3. Postponement :—The Order for the third reading of the Richmond Bridge Company's Act Amendment Bill postponed, on motion of Mr. Allen, until the Orders on the Paper of Government Business for to-day shall have been disposed of.

4. Tobacco Duties Bill, on motion of the Secretary for Lands, read a third time, and passed.

The Secretary for Lands then moved, That the Title of this Bill be, "*An Act to alter the Duties of Customs payable on Tobacco.*"

Question put and passed ;—

Whereupon the Secretary for Lands moved, That this Bill be returned to the Legislative Assembly, with the following Message :—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to alter the Duties of Customs payable on Tobacco,*" returns the same to the Legislative Assembly, without amendment.

*Legislative Council Chamber,
Sydney, December, 1861.*

President.

Question put and passed.

5. River Murray Customs Amendment Bill, on motion of the Secretary for Lands, read a third time, and passed.

The Secretary for Lands then moved, That the Title of this Bill be "*An Act to authorize certain arrangements respecting Customs Duties on Goods brought into New South Wales by and across the River Murray.*"

Question put and passed ;—

Whereupon

Whereupon the Secretary for Lands moved, That this Bill be returned to the Legislative Assembly, with the following Message:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to authorize certain arrangements respecting Customs Duties on Goods brought into New South Wales by and across the River Murray*," returns the same to the Legislative Assembly, without amendment.

Legislative Council Chamber,
Sydney December, 1861.

President.

Question put and passed.

6. Sale of Liquors Licensing Bill, on motion of the Attorney General, read a third time, and passed.

The Attorney General then moved, That the Title of this Bill be "*An Act to consolidate and amend the Laws relating to Licensed Publicans*."

Question put and passed;—

Whereupon the Attorney General moved, That this Bill be returned to the Legislative Assembly, with the following Message:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled, "*An Act to consolidate and amend the Laws relating to Licensed Publicans*," with the Amendments indicated by the accompanying Schedule, in which Amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, December, 1861.

President.

SALE OF LIQUORS LICENSING BILL.

SCHEDULE of the Amendments made by the Legislative Council in the Bill, intituled, "An Act to consolidate and amend the Laws relating to Licensed Publicans," returned to the Legislative Assembly, with Message of 19th December, 1861.

R. O'CONNOR,
Clerk of the Legislative Council.

- Page 2, clause 3, line 11. Omit "s" in "liquors"
 " " line 14. After "also" insert "shall be liable"
 " " " After "Justice" omit "shall"
 " " line 15. Omit "in any Gaol or House of Correction"
 " " line 17. After "with" insert "or without"
 " " lines 17 and 18. Omit "enactment"
 " " line 23. Omit "not less than two gallons"
 " " lines 23 and 24. Omit "one and the same kind of any fermented
 " " " or spirituous"
 " " line 24. Omit "s" in "liquors"
 " " lines 24 and 25. Omit "or any mixed liquors part of which is
 " " " fermented or spirituous"
 " " lines 36 and 37. Omit "nor to any person holding a wine license
 " " " under this Act"
 Page 3, clause 11, line 42. Omit "less"; insert "fewer"
 " " line 44. Omit "less"; insert "fewer"
 Page 4, clause 16, line 24. After "Registered" insert "Brewer or"
 " clause 18, line 57. After "granted" insert "or within thirty days after the
 " " " same was granted if granted at a Special Petty
 " " " Sessions"
 Page 5, clause 19, line 5. After "required" insert "within due time"
 Page 6, clause 32, lines 54 and 55. Omit "during the hours for which the house is
 " " " licensed to be kept open after sunset"; insert "the
 " " " whole of each and every night from sunset to sunrise"
 Page 7, clause 35, line 25. After "assembled" insert "which permission may be
 " " " revoked at any time by such Police Magistrate or
 " " " Magistrates or by the same or any other two Justices
 " " " in Petty Sessions assembled"
 Page 8, clause 40, lines 15 and 16. Omit "whenever any Superintendent Inspector
 " " " or Sergeant of Police shall find"
 " " line 17. After "or" insert "found"
 " clause 43, line 34. After the first word "Police" insert "or any District
 " " " Constable or any Constable specially authorized in
 " " " writing signed by any one Justice of the Peace in any
 " " " particular instance"
 " " " Before "Constable" insert "any"
 " " line 42. After "Sergeant" insert "or District Constable or Con-
 " " " stable specially authorized as aforesaid"

Page

- Page 8, clause 45, line 59. *Omit "thereupon"*
 Page 12, Schedule A, line 22. *After "Special" insert "Petty"*
 " Schedule A 1, line 49. *After "meeting" insert "or Special Petty Sessions"*
 Page 13, Schedule B 1, line 36. *After "meeting" insert "or Special Petty Sessions"*
 " Schedule C, line 46. *After "Sessions" insert "or a meeting"*
 " line 52. *Omit "and notice as required by the said Act"*
 Page 14, Schedule E, line 19. *After "Transfer" omit "License"; insert "thereof"*
 " Schedule F, line 36. *Omit "as in original license"; insert "new premises"*

Examined—

GEORGE ALLEN,
 Chairman of Committees.

Question put and passed.

7. Navigable Waters Protection Bill Reported:—The Report of this Bill from the Committee of the Whole Council having been adopted, on motion of the Attorney General;—

Ordered, That the third reading of this Bill stand an Order of the Day for the next day of sitting.

8. Postponement:—The Order for the third reading of the Richmond Bridge Company's Act Amendment Bill further postponed, on motion of Mr. Allen, on behalf of Mr. Gordon, until the next day of sitting.

9. Adjournment:—The Secretary for Lands moved, That this House do now adjourn until "Thursday next."

Mr. Allen moved, That the Question be amended by the omission of the words "Thursday next" with a view to the insertion in their place of the words "next Friday week, at four o'clock."

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 House do now adjourn until next Friday week, at Four o'clock,—put and passed;—

And the House adjourned accordingly, at ten minutes before Five o'clock, until next Friday week, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, DECEMBER 27.

GENERAL BUSINESS—ORDER OF THE DAY:—

1. Richmond Bridge Company's Act Amendment Bill; Third Reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Property Law and Trustees Relief Bill; Third Reading.
 2. Navigable Waters Protection Bill; Third Reading.

R. O'CONNOR,

Clerk of the Legislative Council.

No. 33.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 27 DECEMBER, 1861.

1. The House met pursuant to adjournment. The President took the Chair at twenty-seven minutes after Four o'clock.

Members Present:—

The Honorable William Charles Wentworth, President,	
The Honorable George Allen, The Honorable Edward Butler, The Honorable John Bayley Darvall, Q.C., The Honorable Samuel Deane Gordon, The Honorable John Fletcher Hargrave, The Honorable George Kenyon Holden, The Honorable Alexander Macarthur, The Honorable John Macfarlane,	The Honorable Sir William Montagu Manning, Knight, Q.C., The Honorable Francis Lewis Shaw Merewether, The Honorable John Robertson, The Honorable Edward Wolstenholme Ward, Captain, R.E., The Honorable John Brown Watt.

2. Paper:—The Attorney General, *By Command*, laid upon the Table the Fourth Annual Report on the Sydney Observatory.
Ordered to be printed.

3. Richmond Bridge Company's Act Amendment Bill, on motion of Mr. Gordon, read a third time, and *passed*.

Mr. Gordon then moved, That the Title of this Bill be "*An Act to amend the Richmond Bridge Company's Act of 1857.*"

Question put and passed;—

Whereupon Mr. Gordon moved, That this Bill be returned to the Legislative Assembly, with the following Message:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to amend the Richmond Bridge Company's Act of 1857,*" returns the same to the Legislative Assembly, without Amendment.

Legislative Council Chamber,
Sydney, December, 1861

President.

Question put and passed.

4. Property Law and Trustees Relief Bill, on motion of the Attorney General, read a third time, and *passed*.

The Attorney General then moved, That the Title of this Bill be "*An Act to amend the Law of Property and to extend the Indemnities and powers of Trustees.*"

Question put and passed;—

Whereupon the Attorney General moved, That this Bill be carried to the Legislative Assembly, with the following Message:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled, "*An Act to amend the Law of Property and to extend the Indemnities and powers of Trustees,*" presents the same to the Legislative Assembly, for its concurrence.

Legislative Council Chamber,
Sydney, December, 1861.

President.

Question put and passed.

5. Navigable Waters Protection Bill, on motion of the Secretary for Lands, read a third time, and *passed*.

The Secretary for Lands then moved, That the Title of this Bill be "*An Act for the better protection of Navigable Waters.*"

Question put and passed;—

Whereupon

MINUTES OF THE PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

Whereupon the Secretary for Lands moved, That this Bill be returned to the Legislative Assembly, with the following Message:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled, "*An Act for the better protection of Navigable Waters*," with the Amendments indicated by the accompanying Schedule, in which Amendments the Council requests the concurrence of the Legislative Assembly.

*Legislative Council Chamber,
Sydney, December, 1861.*

President.

NAVIGABLE WATERS PROTECTION BILL.

SCHEDULE of the Amendments made by the Legislative Council in the Bill, intituled, "An Act for the better protection of Navigable Waters," returned to the Legislative Assembly, with Message of 27th December, 1861.

R. O'CONNOR,
Clerk of the Legislative Council.

Page 1, clause 3, line 24. Omit "where the tide or water never flows or runs";
insert "above high-water mark"
Page 2, " line 3. Omit "twenty"; insert "ten"
" " line 5. Omit "one hundred"; insert "fifty"
" " " Omit "five"; insert "one"

Examined—

GEORGE ALLEN,
Chairman of Committees.

Question put and passed.

The House, on motion of the Secretary for Lands, adjourned at twenty-one minutes before Five o'clock, until *Thursday next*, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JANUARY 2.

MEMO:—*The House meet at Four o'clock this day.*

B. O'CONNOR,
Clerk of the Legislative Council.

[Price, 1d.]

No. 34.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 2 JANUARY, 1862.

Members Present :—

The Honorable William Charles Wentworth, President,	
The Honorable George Allen,	The Honorable Francis Lewis Shaw
The Honorable John Fletcher Hargrave,	Merewether,
The Honorable Charles Kemp,	The Honorable James Mitchell.

There not being a Quorum present, the President adjourned the House, at half-past Four o'clock, until Wednesday next, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JANUARY 8.

MEMO:—*The House meet at Four o'clock this day.*

R. O'CONNOR,
Clerk of the Legislative Council.

No. 35.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 8 JANUARY, 1862.

1. The House met pursuant to adjournment. The President took the Chair at twenty minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,	
The Honorable George Allen, The Honorable Edward Butler, The Honorable John Campbell, The Honorable John Bayley Darvall, Q.C., The Honorable Samuel Deane Gordon, The Honorable John Fletcher Hargrave, The Honorable George Kenyon-Holden, The Honorable Charles Kemp,	The Honorable Alexander Macarthur, The Honorable John Macfarlane, The Honorable Francis Lewis Shaw Merewether, The Honorable James Mitchell, The Honorable Ralph Mayer Robey, The Honorable Bourn Russell.

2. Messages from the Legislative Assembly :—The President reported the following Messages from the Legislative Assembly :—

(1.) Sale of Liquors Licensing Bill :—

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message, dated 19th December, 1861, requesting its concurrence in certain Amendments made by the Council in the "Sale of Liquors Licensing Bill,"—

Agrees to all the Amendments in clauses 8, 11, 16, 18, and 19.

Disagrees from the Amendment in page 6, clause 32, lines 54 and 55 :—Because it would bear oppressively upon a particular section of the community.

Agrees to all the Amendments in clauses 35 and 40.

Has amended the Amendment in page 8, clause 43, line 34, by inserting, before the words "or any District Constable or any Constable specially authorized in writing signed by any one Justice of the Peace in any particular instance," the words "himself observing," and has made an Amendment, consequent upon the Council's Amendment so amended, by omitting the words "himself observing," where they follow the word "Police" in line 34 aforesaid.

And agrees to all the remaining Amendments.

*Legislative Assembly Chamber,
Sydney, 31 December, 1861.*

T. A. MURRAY,
Speaker.

Ordered, on motion of the Attorney General, That the consideration of this Message in Committee stand an Order of the Day for to-morrow.

(2.) New South Wales and Queensland Customs Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to authorize a Treaty respecting Customs Duties on Goods crossing the Queensland Boundary*," presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 2 January, 1862.*

T. A. MURRAY,
Speaker.

Bill, on motion of the Attorney General, read a first time ;—

Ordered, That the second reading stand an Order of the Day for to-morrow, and that the Bill, in the meantime, be printed.

(3.) Criminal Law and Practice Amendment Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to amend the Law and Practice in Criminal Cases*," presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 3 January, 1862.*

T. A. MURRAY,
Speaker.

Bill,

Bill, on motion of Mr. Allen, read a first time :—

Ordered, That the second reading stand an Order of the Day for to-morrow, and that the Bill, in the meantime, be printed.

(4.) Unlawful Administering of Poison Law Amendment Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to amend the Law relating to the unlawful administering of Poison*," presents the same to the Legislative Council for its concurrence.

T. A. MURRAY,
Speaker.

*Legislative Assembly Chamber,
Sydney, 8 January, 1862.*

Bill, on motion of Mr. Kemp, read a first time :—

Ordered, That the second reading stand an Order of the Day for to-morrow, and that the Bill, in the meantime, be printed.

(5.) False Pretences Law Amendment Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to amend the Law of False Pretences*," presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 8 January, 1862.*

T. A. MURRAY,
Speaker.

Bill, on motion of Mr. Kemp, read a first time :—

Ordered, That the second reading stand an Order of the Day for to-morrow, and that the Bill, in the meantime, be printed.

3. Paper :—The Attorney General, *Under the Act 24 Victoria, No. 11*, laid upon the Table, a Proclamation by His Excellency the Governor, dated 24th December, 1861, respecting the appointment of Cattle Inspectors, and the Slaughter of Cattle infected with Pleuro-Pneumonia.

Ordered to be printed.

4. Public Statutes of New South Wales :—The Attorney General laid upon the Table the Third Volume of the Public Statutes of New South Wales, from 11th Vict. to 15th Vict., inclusive, (1847—1851.)

The House adjourned at twenty minutes before Five o'clock, until To-morrow, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JANUARY 9.

GENERAL BUSINESS—ORDERS OF THE DAY :—

1. Criminal Law and Practice Amendment Bill ; Second Reading.
2. Unlawful Administering of Poison Law Amendment Bill ; Second Reading.
3. False Pretences Law Amendment Bill ; Second Reading.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. THE ATTORNEY GENERAL to move, That this Council meet on Friday and Monday next, at Four o'clock P. M., and that Government Business, on those days, take precedence of General Business.

ORDERS OF THE DAY :—

1. Sale of Liquors Licensing Bill ; Consideration in Committee of Assembly's Message in reference to Council's Amendments in this Bill.
2. New South Wales and Queensland Customs Bill ; Second Reading.

WEDNESDAY, JANUARY 15.

Questions :—

1. MR. NEREWETHER to ask THE ATTORNEY GENERAL,—

(1.) Whether, in the designs for the Public Offices, to which the prizes granted by the Legislature have been awarded, the arrangements are such as to admit of the erection in the first instance of the Parliamentary Chambers and Offices only ; and, if so, what would be the cost of the portion of the building appropriated to, or necessary for, the accommodation of Parliament ?

(2.) Whether it is the intention of the Government to propose early measures for the commencement and gradual erection of these buildings, the preliminary expenses of which have been incurred under the authority of Parliament ?

R. O'CONNOR,
Clerk of the Legislative Council.

No. 36.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 9 JANUARY, 1862.

1. The House met pursuant to adjournment. The President took the Chair at twenty-seven minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,

The Honorable George Allen,
The Honorable William Byrnes,
The Honorable John Campbell,
The Honorable Robert Fitzgerald,
The Honorable John Fletcher Hargrave,
The Honorable George Kenyon Holden,
The Honorable Charles Kemp,
The Honorable Alexander Macarthur,

The Honorable John Macfarlane,
The Honorable Francis Lewis Shaw
Merewether,
The Honorable James Mitchell,
The Honorable Ralph Mayer Robey,
The Honorable Bourn Russell,
The Honorable John Brown Watt.

2. *Seat Resigned :—*The President announced that he had received from the Private Secretary to the Governor a letter, bearing date this day, intimating that His Excellency had, on the 30th December last, received a letter from the Honorable John Robertson resigning his Seat as a Member of this House, and that His Excellency had been pleased to accept such resignation.
3. *Postponement :—*The Order for the second reading of the Criminal Law and Practice Amendment Bill postponed, on motion of Mr. Allen, until the next day of sitting.
4. *Unlawful Administering of Poison Law Amendment Bill :—*Mr. Kemp moved, That this Bill be now read a second time.
Debate ensued.
Question put.
The House divided.

Ayes, 9.

Mr. Hargrave, Mr. Holden,
Mr. Macarthur, Mr. Mitchell,
Mr. Robey, Mr. Allen,
Mr. Kemp, Dr. Macfarlane, } Tellers.
Mr. Merewether.

Noes, 3.

Mr. Fitzgerald,
Mr. Campbell, } Tellers.
Mr. B. Russell,

Bill read a second time ;—

Ordered, That the Committal of this Bill stand an Order of the Day for the next day of sitting.

5. *False Pretences Law Amendment Bill :—*Mr. Kemp moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time ;—
Ordered, That the Committal of this Bill stand an Order of the Day for the next day of sitting.

6. *Additional Days for dispatch of Business :—*The Attorney General moved, pursuant to notice, That this Council meet on Friday and Monday next, at Four o'clock P. M., and that Government Business, on those days, take precedence of General Business.
Question put and passed.

7. *Sale of Liquors Licensing Bill :—*

(1.) On motion of the Attorney General, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of the Assembly's Message in reference to the Council's Amendments in this Bill.

The Chairman reported that the Committee had resolved to insist upon the Council's Amendment in this Bill disagreed to by the Assembly, but had agreed to the Assembly's Amendment upon the Council's Amendment, and to the Amendment consequent thereon.

The Attorney General moved, That this Report be now adopted.
Question put and passed.

(2.)

(2) The Attorney General then moved, That it be referred to a Select Committee, consisting of Mr. Campbell, Mr. Holden, Mr. Macarthur, Mr. B. Russell, and the Mover, forthwith to draw up Reasons for insisting upon the Amendment so disagreed to by the Assembly.

Question put and passed.

8. *New South Wales and Queensland Customs Bill*, on motion of the Attorney General, read a second time.

Ordered, That the Committal of this Bill stand an Order of the Day for to-morrow.

9. Sale of Liquors Licensing Bill;—

(1.) Mr. Holden, as Chairman, having reported from the Select Committee the Reasons proposed by them to be offered for insisting upon the Council's Amendment in this Bill disagreed to by the Assembly,—

The same were, on motion of Mr. Holden, read by the Clerk as follows,—

1. Because the retention by the Publican of a Lamp burning during the night is no less essential to the convenience of travellers and other guests than the accommodation required by clause 33 of the Act, and its requirement is for that reason alike exempt from the objection taken by the Assembly of its bearing oppressively upon a particular section of the community;

2. Because no sufficient reason has been shown for altering the existing Law, which accords with the amendment insisted on by the Council.

Mr. Holden then moved, That this House do now adopt this Report.

Question put and passed;

(2.) Whereupon the Attorney General moved, That the following Message be carried to the Legislative Assembly:—

MR. SPEAKER,

The Legislative Council having had under consideration the Legislative Assembly's Message, dated the 31st ultimo, in reference to the Sale of Liquors Licensing Bill, insists upon its Amendment in the said Bill disagreed to by the Assembly,—

(1.) Because the retention by the Publican of a Lamp burning during the night is no less essential to the convenience of travellers and other guests than the accommodation required by Clause 33 of the Act, and its requirement is for that reason alike exempt from the objection taken by the Assembly of its bearing oppressively upon a particular section of the community;—

(2.) Because no sufficient reason has been shown for altering the existing Law, which accords with the Amendment insisted on by the Council;—

But agrees to the Assembly's Amendment upon the Council's Amendment, and to the Amendment consequent thereon.

Legislative Council Chamber;

Sydney, January, 1862.

President.

Question put and passed.

The House adjourned at four minutes before Six o'clock, until To-morrow, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JANUARY 10.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. *New South Wales and Queensland Customs Bill*; To be considered in Committee.

GENERAL BUSINESS—ORDERS OF THE DAY:—

1. Criminal Law and Practice Amendment Bill; Second Reading.
2. Unlawful Administering of Poison Law Amendment Bill; To be considered in Committee.
3. False Pretences Law Amendment Bill; To be considered in Committee.

WEDNESDAY, JANUARY 15.

Questions:—

1. MR. MEREWETHER to ask THE ATTORNEY GENERAL,—

(1.) Whether, in the designs for the Public Offices, to which the prizes granted by the Legislature have been awarded, the arrangements are such as to admit of the erection in the first instance of the Parliamentary Chambers and Offices only; and, if so, what would be the cost of the portion of the building appropriated to, or necessary for, the accommodation of Parliament?

(2.) Whether it is the intention of the Government to propose early measures for the commencement and gradual erection of these buildings, the preliminary expenses of which have been incurred under the authority of Parliament?

R. O'CONNOR,

Clerk of the Legislative Council.

No. 37.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 10 JANUARY, 1862.

1. The House met pursuant to adjournment. The President took the Chair at twenty-one minutes after Four o'clock.

Members Present :—

<p>The Honorable William Charles Wentworth, President, The Honorable George Allen, The Honorable William Byrnes, The Honorable Samuel Deane Gordon, The Honorable John Fletcher Hargrave, The Honorable George Kenyon Holden, The Honorable Charles Kemp,</p>	<p>The Honorable Alexander Macarthur, The Honorable John Macfarlane, The Honorable Francis Lewis Shaw Merewether, The Honorable James Mitchell, The Honorable Bourn Russell.</p>
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2. Paper :—The Attorney General laid upon the Table certain Rules of Court made and promulgated by their Honors the Judges of the Supreme Court.
Ordered to be printed.
3. New South Wales and Queensland Customs Bill :—On motion of the Attorney General, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.
The Chairman reported the Bill without Amendment ;—
And the House having adopted the Report ;—
Ordered, That the third reading of this Bill stand an Order of the Day for Monday next.
4. Assent to Bills :—The following Message from His Excellency the Governor received and read :—

JOHN YOUNG.

Governor.

Message, No. 9.

The undermentioned Bills 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 Bills, and transmitted them to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment in the manner required by law, viz. :—

- (1.) " An Act to amend the Laws relating to Insolvency."
- (2.) " An Act to amend the Law as to the Qualification for certain Judicial and other Offices."
- (3.) " An Act to authorize certain arrangements respecting Customs Duties on Goods brought into New South Wales by and across the River Murray."
- (4.) " An Act to alter the Duties of Customs payable on Tobacco."

Government House,

Sydney, 10 January, 1862.

5. Postponement :—The Order for the second reading of the Criminal Law and Practice Amendment Bill postponed, on motion of Mr. Allen, until Monday next.
6. Unlawful Administering of Poison Law Amendment Bill :—On motion of Mr. Kemp, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.
The Chairman reported the Bill without Amendment ;—
And the House having adopted the Report ;—
Ordered, That the third reading of this Bill stand an Order of the Day for Monday next.

7. **False Pretences Law Amendment Bill**:—On motion of Mr. Kemp, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.
 The Chairman reported the Bill without Amendment;—
 And the House having adopted the Report;—
Ordered, That the third reading of this Bill stand an Order of the Day for Monday next.
 The House adjourned, at twenty-five minutes before Five o'clock, until *Monday next*, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

MONDAY, JANUARY 13.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. **THE ATTORNEY GENERAL** to move, That this Council meet on Tuesday next, at Four o'clock, P.M., and that Government Business take precedence of General Business on that day.

ORDER OF THE DAY:—

1. **New South Wales and Queensland Customs Bill**; Third-Reading.

GENERAL BUSINESS—ORDERS OF THE DAY:—

1. **Criminal Law and Practice Amendment Bill**; Second Reading.
2. **Unlawful Administering of Poison Law Amendment Bill**; Third Reading.
3. **False Pretences Law Amendment Bill**; Third Reading.

WEDNESDAY, JANUARY 15.

Questions:—

1. **MR. MEREWETHER** to ask **THE ATTORNEY GENERAL**,—
 (1.) Whether, in the designs for the Public Offices, to which the prizes granted by the Legislature have been awarded, the arrangements are such as to admit of the erection in the first instance of the Parliamentary Chambers and Offices only; and, if so, what would be the cost of the portion of the building appropriated to, or necessary for, the accommodation of Parliament?
 (2.) Whether it is the intention of the Government to propose early measures for the commencement and gradual erection of these buildings, the preliminary expenses of which have been incurred under the authority of Parliament?

R. O'CONNOR,

Clerk of the Legislative Council.

No. 38.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

MONDAY, 13 JANUARY, 1862.

1. The House met pursuant to adjournment. The President took the Chair at twenty-seven minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,

The Honorable George Allen,
The Honorable William Byrnes,
The Honorable John Bayley Darvall, Q.C.,
The Honorable Samuel Deane Gordon,
The Honorable John Fletcher Hargrave,
The Honorable George Kenyon Holden,
The Honorable Charles Kemp,

The Honorable Alexander Macarthur,
The Honorable John Macfarlane,
The Honorable Sir William Montagu
Manning, Knight, Q.C.,
The Honorable Francis Lewis Shaw
Merewether,
The Honorable Bourn Russell.

2. Legislative Council Bill :—Mr. Merewether, on behalf of the President as Chairman, brought up a Progress Report from the Select Committee for whose consideration and report this Bill was referred on the 12th December last, together with the Minutes of the Proceedings of the Committee.
Ordered to be printed.

3. Messages from the Legislative Assembly :—The President reported the following Messages from the Legislative Assembly :—

(1.) Bland Annuity Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to confer an Annuity upon William Bland*," presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 10 January, 1862.*

T. A. MURRAY,
Speaker.

Bill, on motion of the Attorney General, read a first time ;—

Ordered, That the second reading stand an Order of the Day for the next day of sitting, and that the Bill, in the meantime, be printed.

(2.) Osborne Wallsend Coal Company's Incorporation Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to Incorporate the 'Osborne 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, 10 January, 1862.*

T. A. MURRAY,
Speaker.

Bill, on motion of Mr. Gordon, read a first time ;—

Ordered, That the second reading stand an Order of the Day for the next day of sitting, and that the Bill, in the meantime, be printed.

(3.) Law of Felo-de-se Amendment Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to amend the Law relating to Verdicts of Felo-de-se*," presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 10 January, 1862.*

T. A. MURRAY,
Speaker.

Bill,

Bill, on motion of the Attorney General, read a first time;—

Ordered, That the second reading stand an Order of the Day for the next day of sitting, and that the Bill, in the meantime, be printed.

(4.) Police Regulation Bill:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to consolidate and amend the Laws relating to the Police Force*," presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 13 January, 1862.

T. A. MURRAY,

Speaker.

Bill, on motion of the Attorney General, read a first time;—

Ordered, That the second reading stand an Order of the Day for the next day of sitting, and that the Bill, in the meantime, be printed.

4. Additional Day for dispatch of Business:—The Attorney General moved, pursuant to notice, That this Council meet on Tuesday next, at Four o'clock, P.M., and that Government Business take precedence of General Business on that day.

Question put and passed.

5. New South Wales and Queensland Customs Bill, on motion of the Attorney General, read a third time, and *passed*.

The Attorney General then moved, That the Title of this Bill be, "*An Act to authorize a Treaty respecting Customs Duties on Goods crossing the Queensland Boundary*."

Question put and passed;—

Whereupon The Attorney General moved, That this Bill be returned to the Legislative Assembly, with the following Message:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to authorize a Treaty respecting Customs Duties on Goods crossing the Queensland Boundary*," returns the same to the Legislative Assembly, without amendment.

Legislative Council Chamber,

Sydney, January, 1862.

President.

Question put and passed.

6. Criminal Law and Practice Amendment Bill:—The Order of the Day being read, and no Member moving the second reading of this Bill, it dropped.

7. Unlawful Administering of Poison Law Amendment Bill, on motion of Mr. Kemp, read a third time, and *passed*.

Mr. Kemp then moved, That the Title of this Bill be, "*An Act to amend the Law relating to the Unlawful Administering of Poison*."

Question put and passed;—

Whereupon Mr. Kemp moved, That this Bill be returned to the Legislative Assembly, with the following Message:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to amend the Law relating to the unlawful administering of Poison*," returns the same to the Legislative Assembly, without amendment.

Legislative Council Chamber,

Sydney, January, 1862.

President.

Question put and passed.

8. False Pretences Law Amendment Bill, on motion of Mr. Kemp, read a third time, and *passed*.

Mr. Kemp then moved, That the Title of this Bill be, "*An Act to amend the Law of False Pretences*."

Question put and passed;—

Whereupon Mr. Kemp moved, That this Bill be returned to the Legislative Assembly, with the following Message:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to amend the Law of False Pretences*," returns the same to the Legislative Assembly, without amendment.

Legislative Council Chamber,

Sydney, January, 1862.

President.

Question put and passed.

9. Sale of Liquors Licensing Bill:—The President reported the following Message from the Legislative Assembly:—

MR. PRESIDENT,

The Legislative Assembly, having had under consideration the Legislative Council's Message, dated the 9th instant, insisting upon its Amendment in the Sale of Liquors Licensing Bill to which the Assembly had disagreed, does not insist upon its disagreement to the said Amendment.

Legislative Assembly Chamber,

Sydney, January, 1862.

T. A. MURRAY,

Speaker.

The House adjourned, at two minutes before Five o'clock, until To-morrow, at Four o'clock.

NOTICES

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JANUARY 14.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Police Regulation Bill; Second Reading.

GENERAL BUSINESS—ORDERS OF THE DAY:—

1. Bland Annuity Bill; Second Reading.
2. Osborne Wallsend Coal Company's Incorporation Bill; Second Reading.
3. Law of Felo-de-se Amendment Bill; Second Reading.

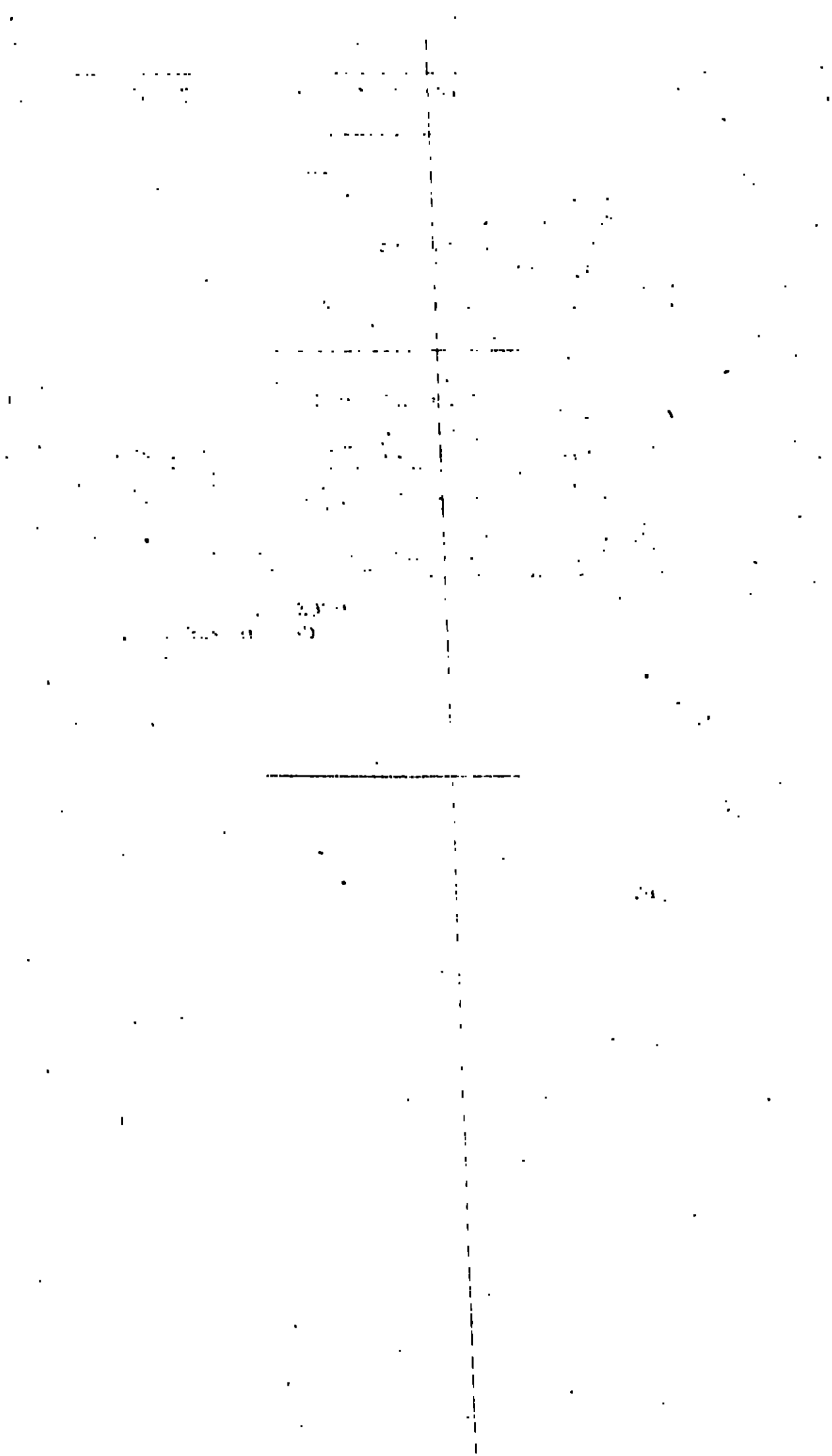
WEDNESDAY, JANUARY 15.*Questions:—*

1. MR. MEREWETHER *to ask* THE ATTORNEY GENERAL,—
(1.) Whether, in the designs for the Public Offices, to which the prizes granted by the Legislature have been awarded, the arrangements are such as to admit of the erection in the first instance of the Parliamentary Chambers and Offices only; and, if so, what would be the cost of the portion of the building appropriated to, or necessary for, the accommodation of Parliament?
(2.) Whether it is the intention of the Government to propose early measures for the commencement and gradual erection of these buildings, the preliminary expenses of which have been incurred under the authority of Parliament?

R. O'CONNOR,

Clerk of the Legislative Council.

[Price, 1d.]



No. 39.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 14 JANUARY, 1862.

1. The House met pursuant to adjournment. The President took the Chair at twenty-six minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,

The Honorable George Allen,
The Honorable William Byrnes,
The Honorable John Campbell,
The Honorable John Bayley Darvall, Q.C.,
The Honorable Robert Fitzgerald,
The Honorable John Fletcher Hargrave,
The Honorable George Kenyon Holden,
The Honorable Charles Kemp,
The Honorable Alexander Macarthur,

The Honorable John Macfarlane,
The Honorable Sir William Montagu
Manning, Knight, Q.C.,
The Honorable Francis Lewis Shaw
Merewether,
The Honorable James Mitchell,
The Honorable Ralph Mayer Robey,
The Honorable Bourn Russell.

2. Police Regulation Bill :—The Attorney General moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time ;—
Ordered, That the Committal of this Bill stand an Order of the Day for to-morrow.
3. Bland Annuity Bill :—Mr. Fitzgerald moved, That this Bill be now read a second time.
Debate ensued.
Question put.
The House divided.

Ayes, 5.

Mr. Hargrave,
Sir W. M. Manning, Knt., Q.C.,
Mr. Merewether,
Mr. B. Russell, } Tellers.
Mr. Fitzgerald, }

Noes, 4.

Mr. Campbell,
Mr. Robey,
Mr. Darvall, Q.C., } Tellers.
Mr. Mitchell, }

Bill read a second time ;—

Ordered, That the Committal of this Bill stand an Order of the Day for to-morrow..

4. Osborne Wallsend Coal Company's Incorporation Bill :—The Attorney General, on behalf of Mr. Gordon, moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time ;—
Ordered, That the Committal of this Bill stand an Order of the Day for to-morrow.
5. Law of Felo-de-se Amendment Bill :—The Attorney General moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time ;—
Ordered, That the Committal of this Bill stand on Order of the Day for to-morrow.

The House adjourned at twenty-five minutes after Seven o'clock, until To-morrow, at Four o'clock.

NOTICES

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JANUARY 15.

*Questions :—*1. *MR. MEREWETHER to ask THE ATTORNEY GENERAL,—*

(1.) Whether, in the designs for the Public Offices, to which the prizes granted by the Legislature have been awarded, the arrangements are such as to admit of the erection in the first instance of the Parliamentary Chambers and Offices only; and, if so, what would be the cost of the portion of the building appropriated to, or necessary for, the accommodation of Parliament?

(2.) Whether it is the intention of the Government to propose early measures for the commencement and gradual erection of these buildings, the preliminary expenses of which have been incurred under the authority of Parliament?

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Police Regulation Bill; To be considered in Committee.

GENERAL BUSINESS—ORDERS OF THE DAY :—

1. Bland Annuity Bill; To be considered in Committee.
2. Osborne Wallsend Coal Company's Incorporation Bill; To be considered in Committee.
3. Law of Felo-de-se Amendment Bill; To be considered in Committee.

R. O'CONNOR,

Clerk of the Legislative Council.

No. 40.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 15 JANUARY, 1862.

1. The House met pursuant to adjournment. The President took the Chair at twenty-five minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,

<p>The Honorable George Allen, The Honorable William Byrnes, The Honorable John Campbell, The Honorable John Bayley Darvall, Q.C., The Honorable Robert Fitzgerald, The Honorable Samuel Deane Gordon, The Honorable John Fletcher Hargrave, The Honorable George Kenyon Holden, The Honorable Charles Kemp,</p>	<p>The Honorable Alexander Macarthur, The Honorable John Macfarlane, The Honorable Sir William Montagu Manning, Knight, Q.C., The Honorable Francis Lewis Shaw Merewether, The Honorable James Mitchell, The Honorable Ralph Mayer Robey, The Honorable Bourn Russell.</p>
--	--

2. New Parliamentary Chambers and Offices :—Mr. Merewether having, pursuant to notice, asked the Attorney General,—

(1.) Whether, in the designs for the Public Offices, to which the prizes granted by the Legislature have been awarded, the arrangements are such as to admit of the erection in the first instance of the Parliamentary Chambers and Offices only ; and, if so, what would be the cost of the portion of the building appropriated to, or necessary for, the accommodation of Parliament ?

(2.) Whether it is the intention of the Government to propose early measures for the commencement and gradual erection of these buildings, the preliminary expenses of which have been incurred under the authority of Parliament ?—

The Attorney General replied,—In answer to the first question, Yea.

The Legislative Council Chamber will cost	£ 32,625
The Offices of the Council	28,301

TOTAL..... £ 60,926

The Legislative Assembly Chamber will cost	£ 32,625
The Offices of the Assembly	28,301

TOTAL..... £ 60,926

The Block Plan (now within this Chamber) will give the cost of the other departments of the proposed buildings. In answer to the second question, it is the intention of the Government to propose a sum on the Estimates of next year for the commencement of these buildings.

3. Police Regulation Bill :—

(1.) On motion of the Attorney General, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill. The Chairman reported the Bill with an Amendment.

(2.) The Attorney General, on the ground of pressing necessity, moved, *without previous notice*, That so much of the Standing Orders be suspended as would preclude the present Adoption of this Report.

Question put and passed.

The

(3.) The Attorney General then moved, That the Report of this Bill from the Committee of the Whole Council be now Adopted.

Question put and passed ;—

Ordered, That the third reading of this Bill stand an Order of the Day for to-morrow.

4. Appropriation Bill, 1861-2 :—The President reported the following Message from the Legislative Assembly :—

MR. PRESIDENT,

The Legislative Assembly having this 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 1861-2*," presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 15 January, 1862.

T. A. MURRAY,
Speaker.

Bill, on motion of the Attorney General, read a first time ;—

Ordered, That the second reading of this Bill stand an Order of the Day for to-morrow.

5. Bland Annuity Bill :—

(1.) On motion of Mr. Fitzgerald the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.

The Chairman reported the Bill with an Amendment.

(2.) Mr. Fitzgerald moved, *without previous notice*, That so much of the Standing Orders be suspended as would preclude the present Adoption of this Report.

Debate ensued.

Motion by leave withdrawn.

(3.) Mr. Fitzgerald then moved, That the Adoption of this Report stand an Order of the Day for "to-morrow."

Mr. Gordon 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 six months."

Debate ensued.

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

The House divided.

Ayes, 5.

Noes, 6.

Sir W. M. Manning, Knt., Q.C.,
Mr. B. Russell,
Mr. Merewether,
Mr. Fitzgerald,
Mr. Hargrave, } Tellers.

Mr. Kemp,
Dr. Macfarlane,
Mr. Campbell,
Mr. Gordon,
Mr. Robey,
Mr. Mitchell, } Tellers.

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

Whereupon Question,—That the Adoption of this Report stand an Order of the Day for this day six months,—put and passed.

6. Osborne Wallsend Coal Company's Incorporation Bill :—On motion of Mr. Gordon, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.

The Chairman reported the Bill without Amendment,—

And the House having Adopted the Report ;—

Ordered, That the third reading of this Bill stand an Order of the Day for to-morrow.

7. Law of Felo-de-se Amendment Bill :—On motion of the Attorney General, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.

The Chairman reported the Bill without amendment,—

And the House having Adopted the Report ;—

Ordered, That the third reading of this Bill stand an Order of the Day for to-morrow.

8. Suspension of Standing Orders :—

Moved by the Attorney General, *without previous notice*, That so much of the Standing Orders be suspended as would preclude a Notice of Motion being now given.

Question put and passed ;

And the said Notice given accordingly.

The House adjourned at a quarter before Nine o'clock, until To-morrow, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JANUARY 16.**GENERAL BUSINESS—ORDERS OF THE DAY :—**

1. Osborne Wallsend Coal Company's Incorporation Bill ; third reading.
2. Law of Felo-de-se Amendment Bill ; third reading.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. **THE ATTORNEY GENERAL** to move, That this Council meet on Friday next, at Eleven o'clock, A.M.

ORDERS OF THE DAY :—

1. Police Regulation Bill ; third reading.
2. Appropriation Bill, 1861-2 ; second reading.

R. O'CONNOR,*Clerk of the Legislative Council.*

[Price, 1d.]

No. 41.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 16 JANUARY, 1862.

1. The House met pursuant to adjournment. The President took the Chair at half-past Four o'clock.

Members Present:—

The Honorable William Charles Wentworth, President,

The Honorable George Allen,
The Honorable William Byrnes,
The Honorable Robert Fitzgerald,
The Honorable John Fletcher Hargrave,
The Honorable George Kenyon Holden,
The Honorable Charles Kemp,
The Honorable Alexander Macarthur,
The Honorable John Macfarlane,

The Honorable Sir William Montagu
Manning, Knight, Q.C.,
The Honorable Francis Lewis Shaw
Mercwether,
The Honorable James Mitchell,
The Honorable Ralph Mayer Robey,
The Honorable Bourn Russell.

2. Loan Bill, 1862 :—

(1.) The President reported the following Message from the Legislative Assembly :—
MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to enable the Government to raise a Loan for certain Public Works and for other purposes*," presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 15 January, 1862.

T. A. MURRAY,

Speaker.

Bill, on motion of the Attorney General, read a first time.

(2.) Ministerial Statement :—The Attorney General stated that it was the intention of the Government during next Session to place upon a Supplementary Estimate the amounts of the reductions effected by Votes in the Assembly on the Estimate for the Department of the Legislative Council; and to introduce a Bill to place the Salaries of the Officers and Servants of the Council upon an independent and permanent basis.

(3.) The Attorney General then moved, *without previous notice*, That so much of the Standing Orders be suspended as would preclude the passing of this Bill through all its remaining stages in one day.

Debate ensued.

Motion by leave withdrawn.

Ordered, That the second reading of this Bill stand an Order of the Day for to-morrow.

3. Osborne Wallsend Coal Company's Incorporation Bill, on motion of Mr. Macarthur, on behalf of Mr. Gordon, read a third time, and *passed*.

Mr. Macarthur then moved that the Title of this Bill be, "*An Act to Incorporate the 'Osborne Wallsend Coal Company.'*"

Question put and passed ;—

Whereupon Mr. Macarthur moved, That this Bill be returned to the Legislative Assembly, with the following Message :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to Incorporate the 'Osborne Wallsend Coal Company,'*" returns the same to the Legislative Assembly, without Amendment.

Legislative Council Chamber,

Sydney, January, 1862.

President.

Question put and passed.

4. Papers :—The Attorney General laid upon the Table the undermentioned papers :—

(1.) Letter from the Emigration Commissioners, dated 26 November, 1861, respecting issue of Passage Certificates to A. A. Company, under Regulations of 21 June, 1861.

(2.) Maitland Road Trust Accounts, from 1st July, 1856, to 31st December, 1860.

Ordered to be printed.

5. Law of Felo-de-se Amendment Bill, [on motion of the Attorney General, read a third time, and passed.

The Attorney General then moved, That the Title of this Bill be, "*An Act to amend the Law relating to Verdicts of Felo-de-se.*"

Question put and passed;—

Whereupon the Attorney General moved, That this Bill be returned to the Legislative Assembly, with the following Message:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to amend the Law relating to Verdicts of Felo-de-se,*" returns the same to the Legislative Assembly, without Amendment.

Legislative Council Chamber,

Sydney, January, 1862.

President.

Question put and passed.

6. Additional Day for dispatch of Business:—The Attorney General moved, pursuant to notice, *by leave amended*, That this Council meet to-morrow, at Four o'clock P.M., and that Government Business take precedence of General Business.

Question put and passed.

7. Police Regulation Bill, on motion of the Attorney General, read a third time, and passed.

The Attorney General then moved, That the Title of this Bill be, "*An Act to consolidate and amend the Laws relating to the Police Force.*"

Question put and passed;—

Whereupon the Attorney General moved, That this Bill be returned to the Legislative Assembly, with the following Message:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill returned herewith, intituled, "*An Act to consolidate and amend the Laws relating to the Police Force,*" with the Amendment indicated by the accompanying Schedule, in which Amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,

Sydney, January, 1862.

President.

POLICE REGULATION BILL.

SCHEDULE of the Amendment made by the Legislative Council in the Bill, intituled, "An Act to consolidate and amend the Laws relating to the Police Force," returned to the Legislative Assembly, with Message of 16th January, 1862.

R. O'CONNOR,

Clerk of the Legislative Council.

Page 8. After clause 31, insert the following new clause:—

"32. Nothing in this Act contained shall be deemed to diminish the duties or restrict or affect the liabilities of constables at Common Law or under any Act now in force or hereafter to be passed."

Existing Laws affecting Constables saved.

Examined—

GEORGE ALLEN,

Chairman of Committees.

Question put and passed.

8. Appropriation Bill 1861-2, on motion of the Attorney General, read a second time.

Ordered, that the Committal of this Bill stand an Order of the Day for to-morrow.

The House adjourned at twenty-three minutes after Five o'clock, until To-morrow, at Four o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JANUARY 17.

Contingent Notices of Motion:—

1. THE ATTORNEY GENERAL to move (upon the Order of the Day for the second reading of the Loan Bill, 1862, being read), That so much of the Standing Orders be suspended, as would preclude the passing of the Loan Bill, 1862, through all its remaining stages in one sitting of the Council.
2. THE ATTORNEY GENERAL to move (upon the Order of the Day for the consideration in Committee of the Appropriation Bill, 1861-2, being read), That so much of the Standing Orders be suspended, as would preclude the passing of the Appropriation Bill, 1861-2, through all its remaining stages in one sitting of the Council.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Loan Bill, 1862; second reading.
2. Appropriation Bill, 1861-2; to be considered in Committee.

GENERAL BUSINESS—NOTICE OF MOTION:—

1. SIR W. M. MANNING to move the following Resolution, That in the opinion of this House the practice of raising Loans for other than great Public Works of a reproductive character, or of prime national importance, is highly inexpedient and dangerous.

R. O'CONNOR,

Clerk of the Legislative Council.

No. 42.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 17 JANUARY, 1862.

1. The House met pursuant to adjournment. The President took the Chair at twenty-six minutes after Four o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,	
The Honorable George Allen,	The Honorable John Macfarlane,
The Honorable William Byrnes,	The Honorable Sir William Montagu
The Honorable John Bayley Darvall, Q.C.,	Manning, Knight, Q.C.,
The Honorable Robert Fitzgerald,	The Honorable Francis Lewis Shaw
The Honorable Samuel Deane Gordon,	Mercwether,
The Honorable John Fletcher Hargrave,	The Honorable James Mitchell,
The Honorable George Kenyon Holden,	The Honorable Ralph Mayer Robey,
The Honorable Charles Kemp,	The Honorable Bourn Russell.
The Honorable Alexander Macarthur,	

2. Paper :—The Attorney General, *By Command*, laid upon the Table a Despatch from the Secretary of State, dated 9 November, 1861, in reference to a Petition from the Inhabitants of the Tenterfield and New England Districts against the separation from New South Wales of the Districts of the Clarence and Richmond Rivers.

Ordered to be printed.

3. Loan Bill, 1862 :—Upon the Order of the Day for the second reading of this Bill being read, the Attorney General moved, pursuant to *Contingent Notice, by leave amended*, That so much of the Standing Orders be suspended, as would preclude the passing of the Loan Bill, 1862, through all its remaining stages in one sitting of the Council ; it being understood that this motion shall not be drawn into a precedent for any future Session.

Debate ensued.

Question put and passed.

The Attorney General then moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time ;—

Ordered, That the Committal of this Bill stand an Order for a later hour of the day.

4. Messages from the Legislative Assembly :—The President reported the following Messages from the Legislative Assembly :—

(1.) Navigable Waters Protection Bill :—

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message, dated 27th December, 1861, requesting its concurrence in certain Amendments made by the Council in the " Navigable Waters Protection Bill,"—

Disagrees from the Amendment in page 1, Clause 3, line 24 ;

Because the penalties would apply to Tidal waters only, whereas it is intended to apply to some Rivers where no high water mark exists.

And agrees to all the remaining Amendments.

*Legislative Assembly Chamber,
Sydney, 16 January, 1862.*

T. A. MURRAY,
Speaker.

On motion of the Attorney General, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of the said Message. The Chairman having reported that the Committee had agreed not to insist upon the Council's Amendment in this Bill disagreed to by the Legislative Assembly,—
The Attorney General moved, That this Report be now adopted.
Question put and passed ;—

Whereupon

Whereupon the Attorney General moved, That the following Message be carried to the Legislative Assembly :—

MR. SPEAKER,

The Legislative Council having had under consideration the Legislative Assembly's Message, dated the 16th instant, disagreeing to the Amendment made by the Council in Clause 3, line 24 of the Navigable Waters Protection Bill, and agreeing to all the other Amendments in the said Bill, does not insist upon its said Amendment so disagreed to.

Legislative Council Chamber,
Sydney, January, 1862.

President.

Question put and passed.

(2.) Police Regulation Bill :—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the Amendment made by the Legislative Council in the Bill, intituled, "*An Act to consolidate and amend the Laws relating to the Police Force.*"

Legislative Assembly Chamber,
Sydney, 16 January, 1862.

T. A. MURRAY,
Speaker.

(3.) Bulli Coal Mining Company's Incorporation Bill :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to incorporate the 'Bulli Coal Mining 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, 17 January, 1862.

T. A. MURRAY,
Speaker.

Bill, on motion of Mr. Gordon, read a first time ;—

Ordered, That the second reading stand an Order of the Day for the next day of sitting, and that the Bill, in the meantime, be printed.

5. Appropriation Bill, 1861-2 :—Upon the Order of the Day for the consideration of this Bill in Committee of the Whole being read, the Attorney General moved, pursuant to *Contingent Notice, by leave amended*, That so much of the Standing Orders be suspended, as would preclude the passing of the Appropriation Bill, 1861-2, through all its remaining stages in one sitting of the Council; it being understood that this motion shall not be drawn into a precedent for any future Session.

Question put and passed ;—

Whereupon, on motion of the Attorney General, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.

The Chairman reported the Bill without Amendment,—

And the House having adopted the Report,—

Bill, on motion of the Attorney General, read a third time, and *passed*.

The Attorney General 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 1861-2.*"

Question put and passed ;—

Whereupon the Attorney General moved, That this Bill be returned to the Legislative Assembly, with the following Message :—

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 1861-2,*" returns the same to the Legislative Assembly, without Amendment.

Legislative Council Chamber,
Sydney, January, 1862.

President.

Mr. Merewether moved, That the Message be amended by the addition at the end thereof of the words,—

"The Council has refrained from exercising its right of amending this Bill by restoring the Salary of the President to its established amount, on the assurance only of the Government that, in the ensuing Session of Parliament a Supplementary Vote will be proposed for the purpose, and that the Legislature will be invited to consider a Bill for placing the salaries of the Officers and Servants of the Council upon a permanent and independent basis."

Debate ensued.

Question,—That the words proposed to be added be so added,—put and passed.

And the said Words being added accordingly,—

Original Question, *as so amended*, put and passed.

6. Loan Bill, 1862 :—On motion of the Attorney General, the President left the Chair, and the House resolved itself into a Committee of the Whole, for consideration of this Bill.

The

The Chairman 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,—

Which Point of Order he then stated to be,—

A motion being made to amend Clause 1 of the Bill, by the omission from lines 13 to 15 thereof, page 1, of the words "seven hundred and eighty-two thousand three hundred and seventy pounds fourteen shillings and sixpence," and objection being taken to the proposed Amendment, as being in contravention of a previous Ruling of the President in reference to the powers of the Council with respect to Money Bills, and such objection being sustained by him as Chairman, the Committee had resolved on referring the matter for the decision of the House.

Debate ensued.

The President stated, That when first he took the Chair of the House, his attention was drawn principally to the question as to whether the Land Bills, then before the Council, were Money Bills. He did not at that time, nor did he now, entertain any doubts that they were Money Bills. If, therefore, as he then thought, the wording of the 1st Standing Order made the practice of this House on such Bills analogous to that of the House of Lords, the Council would have had no authority to deal with them, except in the way of concurrence or rejection. On referring, however, to the 35th Section of the Constitution Act, he found that the wording of the said Standing Order, giving it the construction he did, was *ultra vires*, and that consequently it did not and could not limit the powers of the House with regard to Money Bills; those powers, under the Constitution Act, being, except as to the mere right of origination, co-ordinate with the powers of the Assembly. His attention, moreover, was not then directed to the express Resolution passed by the Council, on the 4th February, 1857, in assertion of their co-ordinate power with the Assembly of amending such Bills, in all cases whatsoever, which Resolution, as the organ and mouth-piece of the House, he had no authority to over-rule. He was therefore of opinion that it was competent for the Committee to entertain the proposed Amendment,—

The Committee then resumed.

The Chairman reported the Bill without Amendment,—

And the House having adopted the Report,—

Bill, on motion of the Attorney General, read a third time, and passed.

The Attorney General then moved, That the Title of this Bill be, "*An Act to enable the Government to raise a Loan for certain Public Works and for other purposes.*"

Question put and passed;—

Whereupon the Attorney General moved, That this Bill be returned to the Legislative Assembly, with the following Message:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to enable the Government to raise a Loan for certain Public Works and for other purposes,*" returns the same to the Legislative Assembly, without Amendment.

Legislative Council Chamber,

Sydney, January, 1862.

President.

Question put and passed.

7. Loans for Public Works:—Sir W. M. Manning moved, pursuant to notice, by leave amended,—

(1.) That in the opinion of this House the practice of raising Loans for other than great Public Works of a reproductive character, or of primary national importance, is highly inexpedient and dangerous.

(2.) That an Address be presented to His Excellency the Governor, embodying the foregoing Resolution.

Question put and passed.

The House adjourned at twenty-five minutes after Eleven o'clock, until Monday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

MONDAY, JANUARY 20.

GENERAL BUSINESS—ORDER OF THE DAY:—

1. Bulli Coal Mining Company's Incorporation Bill; second reading.

For R. O'CONNOR,

Clerk of the Legislative Council,

JOHN J. CALVERT,

Clerk Assistant.

No. 43.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

MONDAY, 20 JANUARY, 1862.

1. The House met pursuant to adjournment. The President took the Chair at eleven minutes after Three o'clock.

Members Present :—

The Honorable William Charles Wentworth, President,

The Honorable George Allen,
 The Honorable William Byrnes,
 The Honorable Robert Fitzgerald,
 The Honorable Samuel Deano Gordon,
 The Honorable John Fletcher Hargrave,
 The Honorable George Kenyon Holden,
 The Honorable Charles Kemp,
 The Honorable Alexander Macarthur,

The Honorable John Macfarlane,
 The Honorable Sir William Montagu
 Manning, Knight, Q.C.,
 The Honorable Francis Lewis Shaw
 Merewether,
 The Honorable James Mitchell,
 The Honorable Ralph Mayer Robey.

2. Bulli Coal Mining Company's Incorporation Bill :—

- (1.) Mr. Gordon moved, That this Bill be now read a second time.

Question put and passed.

Bill read a second time.

- (2.) Mr. Gordon moved, *without previous notice*, That so much of the Standing Orders be suspended, as would preclude the passing of this Bill through all its remaining stages in one sitting of the Council.

Question put and passed.

- (3.) Mr. Gordon then moved, That the President do now leave the Chair, and the House resolve itself into a Committee of the Whole, for consideration of this Bill,—
 And the Chairman of Committees, Mr. Allen, acquainting the House that he is a Shareholder in the Company proposed to be Incorporated by this Bill,—

And the President inquiring whether there was any objection on this ground to Mr. Allen taking the Chair of the Committee on this occasion,—

And no Member objecting,—

Question put and passed ;—

Whereupon the President left the Chair, and the House resolved itself into a Committee of the Whole accordingly.

The Chairman reported the Bill without Amendment,—

And the House having adopted the Report,—

- (4.) Bill, on motion of Mr. Gordon, read a third time, and passed.

Mr. Gordon then moved, That the Title of this Bill be "*An Act to Incorporate the 'Bulli Coal Mining Company.'*"

Question put and passed ;—

Whereupon Mr. Gordon moved, That this Bill be returned to the Legislative Assembly, with the following Message :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to Incorporate the 'Bulli Coal Mining Company,'*" returns the same to the Legislative Assembly, without Amendment.

*Legislative Council Chamber,
 Sydney, January, 1862.*

President.

Question put and passed.

3. Paper :—The Attorney General, *By Command*, laid upon the Table a Despatch from the Duke of Newcastle, dated 17th May, 1861, with Copy of the New Contract for the Conveyance of Mails between Point de Galle and Australia.
Ordered, to be printed.
4. Assent to Bills :—His Excellency the Governor having been announced by the Usher of the Black Rod, and conducted to his seat by the President accompanied by other Members and Officers of the House, commanded the Usher of the Black Rod, through the Aid-de-Camp, to let the Assembly know "It is His Excellency's pleasure they attend him immediately in this House";—
And the Assembly, with their Speaker, being in attendance accordingly, and seated, by desire of His Excellency, in the seats provided for them;—
The Honorable the Speaker rose and read the following Address :—

MAY IT PLEASE YOUR EXCELLENCY,—

The Legislative Assembly has voted the Supplies required to enable Her Majesty's Government to defray the Expenses of the Public Service. In the name of the Commons, I pray that 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 1861-2,*" and the Bill, intituled, "*An Act to enable the Government to raise a Loan for certain Public Works and for other purposes,*" may receive the Royal sanction!

The Speaker then presented to His Excellency the said two Bills, and subsequently, the Bill passed this day, intituled, "*An Act to incorporate the 'Bulli Coal Mining Company,'*" to which he also prayed the Royal Assent;—

Whereupon His Excellency was pleased to subscribe and declare his Assent, in the name and on the behalf of Her Majesty, to the undermentioned Bills :—

- (1.) "*An Act to amend the Richmond Bridge Company's Act of 1857.*"
- (2.) "*An Act to amend the Law relating to the unlawful administering of Poison.*"
- (3.) "*An Act to amend the Law of False Pretences.*"
- (4.) "*An Act to consolidate and amend the Laws relating to Licensed Publicans.*"
- (5.) "*An Act to incorporate the 'Osborne Wallsend Coal Company.'*"
- (6.) "*An Act to amend the Law relating to Verdicts of Felo-de-se.*"
- (7.) "*An Act to consolidate and amend the Laws relating to the Police Force.*"
- (8.) "*An Act for the better protection of Navigable Waters.*"
- (9.) "*An Act to incorporate the 'Bulli Coal Mining Company.'*"
- (10.) "*An Act to enable the Government to raise a Loan for certain Public Works and for other purposes.*"
- (11.) "*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 1861-2.*"

5. Bill Reserved :—His Excellency then subscribed and declared that, in the name and on the behalf of Her Majesty, he had reserved the Bill, intituled, "*An Act to authorize a Treaty respecting Customs Duties on Goods crossing the Queensland Boundary,*" for the signification thereon of Her Majesty's pleasure.

6. Prorogation :—His Excellency was then pleased to read the following Speech :—

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

1. In releasing you from further attendance in Parliament, I am happy to be able to congratulate you upon the successful result of your labours during this long and arduous Session.

2. Various measures of great importance have been completed, and several Acts have been passed calculated to develop the interests to which they have reference.

3. Prominent among the Acts passed during this Session, are those which relate to the Alienation and Occupation of Crown Lands—the Gold Fields—the Police Force—the Administration in Insolvency—and the Licensed Publicans.

4. By these enactments, questions of deep concern to the social and material advancement of the community, some of which have for years past agitated the public mind—have been determined.

5. The provision which you have made for the establishment of Juvenile Reformatories, for increasing the number of Primary Schools, and for other Educational objects, and for the improvement of our Lunatic Asylums, Gaols, and Penal Establishments, is proof of an enlightened and philanthropic spirit. The funds granted for these purposes shall be administered with an anxious desire to carry out the intentions with which they have been so wisely placed at the disposal of the Government.

6. The large sums which you have appropriated for the extension of Railway and Telegraphic Communication shall be used with a strict regard to their economical expenditure.

7. I have had much pleasure in forwarding to the Duke of Newcastle the Address which you presented to me for transmission to His Grace, in reference to his Despatch respecting the separation of the Clarence and Richmond Districts from New South Wales, and I congratulate the Colony upon the determination which has been arrived at by the Imperial Government.

GENTLEMEN

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

8. I thank you for the Supplies which you have voted for the Public Service. It will afford you much gratification to learn that during the past year there has been a considerable increase, under every head of the Revenue, over the amount realized for the year 1860.

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

9. The funds which were so liberally placed by Parliament at the disposal of the Commissioners who undertook the duty of providing for the representation of New South Wales, at the Exhibition of the Industry of all Nations, to be held in London during the present year, have enabled them to accomplish the object entrusted to them. Their zealous exertions will, I sincerely hope, be rewarded by the high position in which the Colony will be placed from this additional proof of its numerous and valuable resources.

10. In bringing this Session to a close, I thankfully acknowledge the diligence and perseverance which you have shewn in the performance of the duties devolving upon you as Members of the Legislature. You are now returning to your homes, where many of you have extensive influence to exercise, and duties to perform of hardly less moment than the labours from which you are now released; and I entertain a confident assurance that, under the guidance of Divine Providence, that influence will be so used, and those duties so performed, as to promote a spirit of order and goodwill among all classes of the community.

11. I now prorogue this Parliament to Thursday, the twentieth day of February next.

His Excellency being then conducted to the Door by the President, accompanied by other Members and Officers of the House, the Assembly with their Speaker withdrew. Parliament standing prorogued accordingly, until Thursday, the twentieth day of February next.

R. O'CONNOR,
Clerk of the Legislative Council.