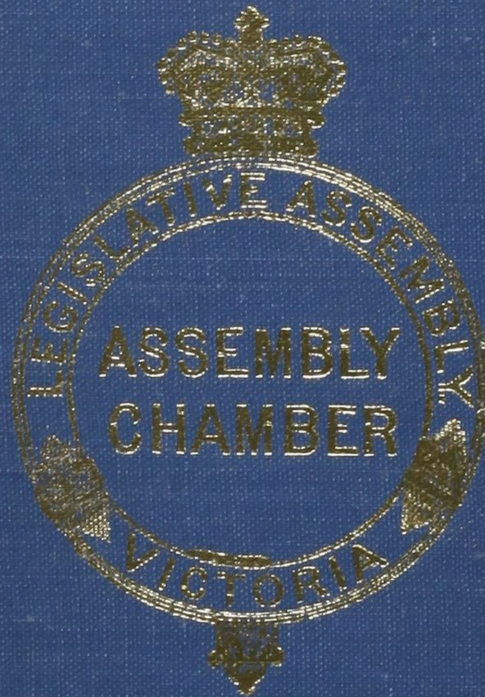


VICTORIA



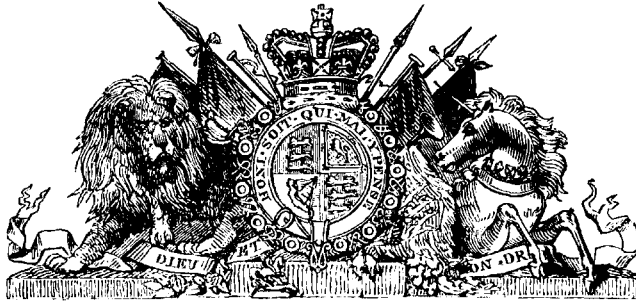
VOTES
AND
PROCEEDINGS
OF THE
LEGISLATIVE
COUNCIL

SESSION
1851-2



ASSEMBLY CHAMBER

66294
30
VICTORIA.



VOTES

AND

PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL,

DURING THE SESSION

1851-2.

WITH COPIES OF THE VARIOUS DOCUMENTS ORDERED BY THE COUNCIL
TO BE PRINTED.

MELBOURNE:

PRINTED BY JOHN FERRIS, AT THE GOVERNMENT PRINTING OFFICE.
1852.

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STANDING RULES AND ORDERS

OF THE

LEGISLATIVE COUNCIL

OF

VICTORIA.

1851.

MELBOURNE:

PRINTED BY JOHN FERRES, AT THE GOVERNMENT PRINTING OFFICE.

1851.

STANDING RULES AND ORDERS OF THE

LEGISLATIVE COUNCIL

OF VICTORIA.

GENERAL CONDUCT OF BUSINESS.

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

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

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

IV. THAT no Order for a Call of the House shall be made for any day earlier than twenty-one days from the date of such Order, inclusive of the day of such Order.

V. THAT whenever a Division shall be demanded by any Member, the Members present shall take their seats, the "ayes" on the right, the "noes" on the left of the Chair respectively, and the Speaker, or the Chairman when the House is in Committee, shall appoint Tellers, one of either party, and shall declare which has the majority from written lists of the Members voting on each side, to be handed to him by the Tellers.

VI. THAT previously to any Division, strangers shall withdraw from the body of the House, but may remain in the Galleries unless otherwise ordered

VII. THAT an entry of the Division Lists be made by the Clerk in the Journals.

VIII. THAT all Addresses to the Governor shall be presented by the Speaker, unless otherwise ordered by the Council.

IX. THAT no Member shall digress from the subject matter of the Question under discussion, or comment upon the words used by any other Member in a previous debate; and that all imputations of improper motives, and all personal reflections on Members shall be considered highly disorderly.

X. THAT whenever any Member shall make use of any expression, personal and disorderly, or capable of being applied offensively to any other Member, the Member so offending shall be required to withdraw the expression, and to make a satisfactory apology to the Council.

XI. THAT a Member called to Order, shall sit down unless permitted to explain.

XII. THAT when in consequence of highly disorderly conduct, the Speaker shall call upon any Member by name, such Member shall withdraw as soon as he has been heard in explanation; and after such Member's withdrawal, the Council shall at once take the case into consideration.

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

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

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

XVI. THAT any Member or other person adjudged by the Council for any of the causes hereinbefore mentioned guilty of contempt, shall be fined in a penalty at the discretion of the Council not exceeding Twenty Pounds, and in default of immediate payment, shall be committed, by the Warrant of the Speaker to the custody of the Serjeant at Arms, for a period not exceeding Fourteen days, and it shall be lawful for the said Serjeant at Arms to detain the said Member or person in his custody for the period directed by the Council, unless sooner discharged by Order of the Council, or unless the amount of Fine imposed shall be sooner paid.

MOTIONS.

XVII. THAT no Notice of Motion shall be received after the Council shall have proceeded to the Business of the Day, as set down in the Notice Paper.

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

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

XX. THAT Motions shall take precedence of Orders of the Day, except on days fixed for the consideration of Government business.

XXI. THAT Motions shall be moved in the order in which they stand on the Notice Paper, and if not so moved, shall be expunged therefrom.

XXII. THAT this Council will not proceed upon any Motion for an Address to His Excellency the Lieutenant Governor, praying that any Money may be issued, or that any Expense may be incurred, but in a Committee of the whole Council.

PUBLIC BILLS.

XXIII. THAT every Bill for the paving, lighting or cleansing of any City or Town, shall so far as regards the forms to be observed in its progress through this Council, be deemed and taken to be a Public Bill.

XXIV. THAT Amendments merely of a verbal or formal nature may be made on Motion in any part of a Bill at any time during its progress through the Council.

XXV. THAT clerical or typographical errors shall be corrected in any part of a Bill by the Chairman of Committees, who shall notify the same to the Speaker.

XXVI. THAT upon the adoption of the Report on any Bill the same shall be fair printed, and before it be read a third time the Chairman of Committees shall certify that it is in accordance with the Bill as reported.

XXVII. THAT no Bill shall be engrossed, but every Bill shall immediately after it shall have passed the Council be printed on vellum by the Government Printer, and when so printed shall be duly authenticated by the Clerk or other proper Officer of the Council as the Bill to which the Council has agreed, and thereupon the Clerk of the Council shall certify the day on which such Bill did pass, and present the same to the Speaker who shall sign the same.

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

COMMITTEES OF THE WHOLE COUNCIL.

XXIX. THAT in Committee of the whole Council, ten Members, exclusive of the Chairman, shall be a quorum

XXX. THAT the Lists of Divisions in Committees of the whole Council shall be printed weekly.

LAPSED QUESTIONS.

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

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

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

SELECT COMMITTEES.

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

XXXV. THAT it shall not be compulsory on the Speaker to serve on any Select Committee.

XXXVI. THAT the Notice of Motion for the appointment of every Select Committee shall contain the names of the Members whom the Mover intends shall serve with himself on such Committee.

XXXVII. THAT if upon any motion for a Select Committee any one Member shall require it, such Committee shall be formed in the manner following, viz. :—Each Member shall give in to the Clerk a List of the Members whom he intends shall serve on such Committee, not exceeding the number proposed, inclusive of the Mover; and if any such List contain a larger number of names it shall be rejected; and the Members who shall be reported by the Clerk to have the greatest number of Votes, shall be declared by the Speaker to be the Members of such Committee. And in any case of doubt arising from two or more Members having an equality of Votes, the Speaker shall decide which shall serve on such Committee.

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

XXXIX. THAT in all Select Committees three shall be a quorum.

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

XLI. THAT every Report of a Select Committee shall be signed by the Chairman.

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

MESSAGES.

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

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

PETITIONS.

XLV. THAT no Petition shall be presented after the Council shall have proceeded to the Orders of the Day.

XLVI. THAT it shall be incumbent on every Member presenting a Petition to acquaint himself with the contents thereof, and to ascertain that it does not contain language disrespectful to the Council.

XLVII. THAT every Member presenting a Petition to the Council shall affix his name at the beginning thereof.

XLVIII. THAT every Petition must be in writing, and not printed or lithographed.

XLIX. THAT every Petition must contain the Prayer of the Petitioners at the end thereof.

L. THAT every Petition must be signed by at least one person on the skin or sheet on which the Petition is written.

LI. THAT every Petition must be written in the English language, or be accompanied by a translation certified by the Member who shall present it.

LII. THAT every Petition must be signed by the parties whose names are appended thereto by their names or marks and by no one else, except in cases of incapacity by sickness.

LIII. THAT no letters, affidavits, or other documents, shall be attached to any Petition.

LIV. THAT no Petition shall make reference to any debate in the Council.

LV. THAT no Petition shall pray for a grant of Public Money.

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

PRIVATE BILLS.

LVII. THAT no Private Bill shall be brought into this Council but upon a Petition first presented with a printed copy of the proposed Bill annexed; and such Petition shall be signed by one or more of the parties applying for the Bill.

LVIII. THAT all Petitions for Private Bills be presented to the Council within thirty days from the commencement of the Session.

LIX. THAT every Petition for a Private Bill shall commence by setting forth that within the three months previously to its presentation to the Council, public notice of the intention to apply for the Bill has been given once a week, for four consecutive weeks, in the *Victoria Government Gazette*, in one or more public newspapers published in Melbourne, and in one or more local newspapers published in or nearest to the District affected by the Bill; and shall also contain a true statement of the general objects of the Bill; and the production of the numbers of such *Gazette*, and newspaper, or newspapers shall be sufficient proof of such notice.

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

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

LXII. THAT no Private Bill shall be read a first time, until the sum of twenty-five pounds be paid into the hands of the Colonial Treasurer for the public uses of the Colony, and a Certificate of such sum having been paid, shall be produced by the Member having charge of the Bill.

LXIII. THAT when a Private Bill shall have been read a first time, it shall be referred to a Select Committee, to be appointed on Motion upon Notice, and such Committee shall require proof of the allegations contained in the Preamble.

LXIV. THAT every Petition against a Private Bill shall be referred to the Select Committee on such Bill; and shall distinctly specify the grounds on which the Petitioners object thereto, but no such Petition shall be referred to the Select Committee until the sum of fifteen pounds be paid into the hands of the Colonial Treasurer for the public uses of the Colony, and a Certificate that such sum has been paid, be produced by the Member presenting the Petition.

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

LXVI. THAT upon a Private Bill being brought up and reported by the Select Committee, such Bill shall be proceeded with as in the case of Public Bills, a future day being appointed for the second reading.

STRANGERS.

LXVII. THAT the Speaker only shall have the privilege of admitting Strangers to the body of the Council Chamber, but every Member shall have the privilege of admitting by Orders three Strangers to the Gallery of the Council Chamber.

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

SUSPENSION OF STANDING RULES AND ORDERS.

LXIX. THAT (except in cases of urgent and pressing necessity) no Motion shall be made to dispense with any Sessional or Standing Order of the Council, without due notice thereof.

DURATION OF STANDING RULES AND ORDERS.

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

*Adopted by the Legislative Council, this twelfth day of
December, in the year of our Lord one thousand
eight hundred and fifty-one.*

J. F. PALMER,
Speaker.

JOHN BARKER,
Clerk of the Legislative Council.

Approved,
C. J. LA TROBE,
Lieutenant Governor.

No. 1.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

Tuesday, 11th November, 1851.

PRESENT.—Redmond Barry, Esq., William Campbell, Esq., Charles Hilton Dight, Esq., Alexander Cunninghame Wallace Dunlop, Esq., Charles Hotson Ebdon, Esq., John Pascoe Fawkner, Esq., Adolphus Goldsmith, Esq., Charles James Griffith, Esq., William Clarke Haines, Esq., James Stewart Johnston, Esq., The Hon. William Lonsdale, Esq., John Henry Mercer, Esq., Henry Miller, Esq., Francis Murphy, Esq., Thomas Hamilton Osborne, Esq., John O'Shanassy, Esq., James Frederick Palmer, Esq., Robert Williams Pohlman, Esq., Robert Robinson, Esq., James Hunter Ross, Esq., Andrew Russell, Esq., William Rutledge, Esq., John Thomas Smith, Esq., Peter Snodgrass, Esq., William Francis Splatt, Esq., The Hon. William Foster Stawell, Esq., James Ford Strachan, Esq., Robert Turnbull, Esq., William Westgarth, Esq., Thomas Wilkinson, Esq.

1. Council met pursuant to Proclamation of His Excellency the Lieutenant Governor, bearing date the 17th day of October, 1851, and the Clerk read the said Proclamation.

COLONIAL SECRETARY produced a Commission from His Excellency the Lieutenant Governor authorizing himself and the Attorney General jointly and separately to administer all such Oaths and Affirmations to each other and to the Members of the said Legislative Council of the Colony of Victoria, and also to take such subscription of each other and of the said Members of the said Legislative Council, as are required by the 25 Sec. of the Constitutional Act 5 & 6 Victoria, c. 76, to be taken by each Member before he can sit or vote in the Council—which Commission was read by the Clerk.

THE ATTORNEY GENERAL then took the Oaths and administered the same to the other Commissioner, after which the Members present were duly sworn before the Commissioners, and the Letters Patent appointing the Non-Elective Members and the Writs returning the Elective Members were produced as the Members were sworn.

ELECTION OF SPEAKER :—

2. MR. WESTGARTH moved that James Frederick Palmer, Esq., do take the Chair of this House as Speaker, which motion was seconded by William Rutledge, Esq. There being no other Member proposed, Dr. Palmer was then conducted to the Chair by his mover and seconder; and having expressed his acknowledgments to the House, sat down in the Chair.

THE COLONIAL SECRETARY then congratulated Mr. Speaker Elect.—The Colonial Secretary then informed the Council that His Excellency the Lieutenant Governor had been pleased to signify his intention of receiving their Speaker Elect at the Government Offices, to-morrow, at 12 o'clock, and moved that the Council do accordingly adjourn until to-morrow at half-past Eleven o'clock, for the purpose of presenting their Speaker Elect to His Excellency the Lieutenant Governor, at the Government Offices at twelve o'clock.

Question put and passed.

Council adjourned at a quarter-past One o'clock, accordingly.

ORDER OF THE DAY.

To proceed to the Government Offices to present the Speaker Elect to His Excellency the Lieutenant Governor at twelve o'clock.

JOHN BARKER,

Clerk of the Council.

VOTES AND PROCEEDINGS
 OF THE
LEGISLATIVE COUNCIL,

WEDNESDAY, 12th November, 1851.

- 1.—PRESENTATION AND ALLOWANCE OF SPEAKER.—Council met pursuant to adjournment; the Speaker Elect took the Chair.
 On the motion of the Colonial Secretary, seconded by Dr. Murphy—
 The Council proceeded to the Government Offices, to present their Speaker Elect to His Excellency the Lieutenant Governor.
 The Council having returned, the Speaker reported that the Council had been to the Government Offices, and had there presented him to His Excellency the Lieutenant Governor, who had not disallowed their choice of him to be their Speaker, and that he had granted the usual privileges.
- 2.—OPENING THE SESSION.—The Speaker also reported that His Excellency the Lieutenant Governor had been pleased to signify his intention of coming to the Council Chamber, in person, to-morrow, at 12 o'clock, to declare the purposes for which he has called the Council together, and to open the Session thereof.
- 3.—DECLARATIONS OF QUALIFICATIONS.—The following Elective Members, being all the Elective Members of the said Council, excepting Mr Osborne, handed to the Clerk at the Table, as prescribed by the 3rd Sec. of the Act (to amend and explain the Constitutional Act) 7 and 8 Vic. chap 74, their several Declarations of Qualifications.

“I, William Westgarth, do declare and testify, That I am duly seised at Law, or in equity, of an Estate of Freehold for my own use and benefit in Lands or Tenements, in the Colony of Victoria, of the annual value of One Hundred Pounds, Sterling Money, above all Charges and Incumbrances affecting the same. And further, that the Lands or Tenements out of which such Qualifications arises are situate in the Parish of Jika Jika, County of Bourke, being my private residence, situate on the Merri Creek, five miles from Melbourne, known as Maryfield, consisting of forty-six acres of land :—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria

W. WESTGARTH.”

“I, William Rutledge, do declare and testify, That I am duly seised at Law or in equity, of an Estate of Freehold, for my own use and benefit in Lands or Tenements, in the Colony of Victoria, of the value of Two Thousand Pounds, Sterling Money, above all charges and Incumbrances affecting the same. And further, that the Lands or Tenements out of which such Qualifications arises are situate in the County of Villiers, at Woodford, near Warrnambool, and containing Three Hundred and Ninety-nine Acres, with the Buildings thereon erected, and which Lands are described in the Crown Grants thereof, as being Portions Numbers One, Two, Three, Twelve and Thirteen, and situate in the County of Normanby :—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

Wm. RUTLEDGE.”

“I, James Stewart Johnston, do declare and testify, That I am duly seised at Law or in equity, of an Estate of Freehold for my own use and benefit in Lands or Tenements in the Colony of Victoria, of the annual value of One Hundred Pounds, Sterling Money, above all Charges and Incumbrances affecting the same. And further, that the Lands or Tenements out of which such Qualification arises are situate in St. Kilda, and consist of an Allotment containing nearly One Acre of Land, on which there are at present Six Dwelling Houses, one of which is occupied by myself :—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

J. S. JOHNSTON.”

"I, Peter Snodgrass, of Doogallock, near Seymour in the Colony of Victoria, do declare and testify, That I am duly seised at Law or in equity of an Estate of Freehold for my own use and benefit in Lands or Tenements in the Colony of Victoria, of the yearly value of One Hundred Pounds, Sterling Money, above all Charges and Incumbrances affecting the same: And that such Lands or Tenements are of the description and situation as follows, (that is to say)—All that tract or parcel of Land containing by admeasurement Ninety-five Acres and two Roods be the same more or less situate and being in the parish of Keelbundora, County of Bourke, in the Colony of Victoria aforesaid:—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

PETER SNODGRASS."

Melbourne, 11th November, 1851.

"I, John Thomas Smith, do declare and testify, That I am duly seised at Law or in equity of an Estate of Freehold, for my own use and benefit, in Lands or Tenements in the Colony of Victoria, of the value of Two Thousand Pounds, Sterling Money, above all Charges and Incumbrances affecting the same: And further that the Lands and Tenement out of which such Qualification arises, are situate in the City of Melbourne, in Queen Street, at the corner of Little Lonsdale Street, being Allotment Nineteen, Block Twenty-nine, County of Bourke, which I hold in fee simple:—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

J. T. SMITH."

"I, Robert Robinson, of Geelong, do declare and testify, That I am duly seised at Law or in equity of an Estate of Freehold, for my own use and benefit, in Lands or Tenements in the Colony of Victoria, of the value of Two Thousand Pounds, Sterling Money, above all Charges and Incumbrances affecting the same: And further, that the Lands and Tenements out of which such Qualification arises are situate in the Township of Colac, County of Polworth, being Allotments Numbers Three, Five, Six, Seven and Eight, of Section Number Two, and Allotments number One, Four, and Five, of Section Number Three, and Allotment Number One of Section Number Sixteen; also, Sixteen Suburban Allotments at Colac, County of Polworth, numbered Eight, Nine, Ten, Eleven, Twelve, Thirteen, Fourteen, Twenty-six, Twenty-nine, Thirty, Thirty-two, Thirty-three, Thirty-four, Thirty-six, Thirty-seven and Thirty-eight; also, Three Tenements built thereon: Land in the Parish of Moorpanyal, County of Grant, in Suburban Allotments Numbers One and Two of Section Number Six; Land in the Parish of Barrabool, County of Grant; Land in the Parish of Moolap, County of Grant; Land in the Town of Geelong, being portion of Allotment Number Ten of Section Number Twenty-one; also, Land being portion of Allotment Number Seven of Section Thirty-seven, Town of Geelong; Land and Tenements part of Allotment Number One of Section Thirty-six, Geelong:—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

ROBT. ROBINSON."

"I, Adolphus Goldsmith, do declare and testify that I am duly seized at Law or in equity of an Estate of Freehold for my own use and benefit in Lands or Tenements in the Colony of Victoria, of the yearly value of One Hundred Pounds, Sterling Money, above all Charges and Incumbrances affecting the same: And further that the Lands or Tenements out of which such Qualification arises are situate in the City of Melbourne, in the Colony of Victoria, being a Portion of Allotment 16, of Section No. 28, with the Capital Messuages and Dwelling Houses, erected and built thereon, with the rights and appurtenances thereto belonging, as described in a Conveyance in Fee by Hugh Glass to me:—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

ADOLPHUS GOLDSMITH."

Melbourne, 12th November, 1851.

"I, William Francis Splatt, do declare and testify that I am duly seised at Law or in equity of an Estate of Freehold for my own use and benefit in Lands or Tenements in the Colony of Victoria, of the yearly value of One Hundred Pounds, Sterling Money, above all Charges and Incumbrances affecting the same: And further that the Lands or Tenements out of which such Qualification arises are situate in the County of Bourke, viz., in Brunswick-street, Collingwood, and consisting of a Dwelling House and Premises, at present in the occupation of Andw. McCrae, Esq., and held by me in Fee Simple:—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

WM. F. SPLATT."

11th November, 1851.

" I, Robert Turnbull, do declare and testify that I am duly seized at Law or in equity of an Estate of Freehold for my own use and benefit in Lands or Tenements in the Colony of Victoria, of the annual value of One Hundred Pounds, Sterling Money, above all Charges and Incumbrances affecting the same : And further that the Lands or Tenements out of which such Qualification arises are situate in the District of Gipps Land, being that Piece or Portion of Land known as the Shipping Point of Port Albert, consisting of One Hundred and Eighty Acres or thereabouts, with the several Buildings thereon, and situate in a County unnamed, and Parish of Albert Town, at Corner Inlet :—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

ROBERT TURNBULL."

Melbourne, 11th November, 1851.

" I, James Ford Strachan, do declare and testify that I am duly seized at Law or in equity of an Estate of Freehold for my own use and benefit in Lands or Tenements, in the Colony of Victoria, of the value of Two Thousand Pounds, Sterling Money, above all Charges and Incumbrances affecting the same : And further that the Lands or Tenements out of which such Qualification arises are situate in Dwelling Houses and Lands attached, situate in Corio Bay, Geelong, County of Grant, occupied by myself :—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria

JAMES F. STRACHAN."

" I, Thomas Wilkinson, do declare and testify, That I am duly seized at Law or in equity, of an Estate of Freehold for my own use and benefit in Lands or Tenements, in the Colony of Victoria, of the yearly value of One Hundred Pounds, Sterling Money, above all Charges and Incumbrances affecting the same : And further, that the Lands or Tenements out of which such Qualification arises are situate in Portland, in the County of Normanby, being South Suburban Number 6, containing 3 Acres 2 Roods and 29 Perches : Also part of Allotment Number 19 of Section 5, in Henty-street, in the Town of Portland aforesaid, with a Cottage erected thereon : Also part of Allotment Number 10 of Section 2, in Gawlor-street, in Portland aforesaid, with a Dwelling House, Store and other Buildings erected thereon : Also Four Acres and Two Roods or thereabouts, forming the South-west Angle of Suburban Allotment Number 102, Parish of Jika Jika, County of Bourke :—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

THOMAS WILKINSON."

" I, John Henry Mercer, do declare and testify, That I am duly seized at Law or in equity, of an Estate of Freehold for my own use and benefit in Lands or Tenements, in the Colony of Victoria, of the value of Two Thousand Pounds, Sterling Money, above all Charges and Incumbrances affecting the same : And further that the Lands or Tenements out of which such Qualification arises are situate in the County of Grant, being Section No. 3, Parish of Gnawarre, and Portions of Section No. 6, Parish of Gherineglap, and that I hold the Fee Simple thereof :—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria :

J. HENRY MERCER."

" I, Francis Murphy, do declare and testify, That I am duly seized at Law or in equity, of an Estate of Freehold, for my own use and benefit, in Lands or Tenements, in the Colony of Victoria, of the yearly value of One Hundred Pounds, Sterling Money, above all Charges and Incumbrances affecting the same : And further that the Lands or Tenements out of which such Qualification arises are situate in the Parish of Moorabin, County of Bourke, being Part of Allotments 1 and 2, on the Original Plan of the Subdivision of the Brighton Estate, and now in the occupation of John Carr Riddell, Esq. :—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands or Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

FRANCIS MURPHY."

" I, James Frederick Palmer, do declare and testify, That I am duly seized at Law or in equity, of an Estate of Freehold, for my own use and benefit, in Lands or Tenements, in the Colony of Victoria, of the value of Two Thousand Pounds, Sterling, and of the yearly value of Two Hundred Pounds, Sterling, above all Charges and Incumbrances affecting the same : And that the said Lands or Tenements are situate in the Parish of Boroondara, in the County of Bourke in the said Colony, being Allotments Numbers Nineteen, Twenty, and Twenty-one, in Section Number Six, and are in my own occupation and used as a Dwelling-house ; That the nature of my

Estate therein is fee simple:—and that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

JAMES FREDERICK PALMER.”

November 11, 1851.

“ I Henry Miller, do declare and testify, That I am duly seised at Law or in equity of an Estate of Freehold, for my own use and benefit, in Lands or Tenements in the Colony of Victoria, of the value of Two Thousand Pounds, Sterling Money, above all Charges and Incumbrances affecting the same: And further, that the Lands or Tenements out of which such Qualification arises are situate in the County of Grant, Parish of Barrabool, containing Nine Hundred and Sixty-eight Acres, known as the Victoria Estate, and held by me in fee simple:—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

HENRY MILLER.”

“ I, John O'Shanassy, do declare and testify that I am duly seised at Law or in equity of an Estate of Freehold for my own use and benefit, in Lands or Tenements in the Colony of Victoria, of the yearly value of One Hundred Pounds, Sterling Money, above all Charges and Incumbrances affecting the same: And further that the Lands or Tenements out of which such Qualification arises are situate—viz., One Rood of Land in Elizabeth-street, Melbourne, being Allotment Number Twenty of Section Thirty-eight: Also, One Rood of Land in Roebuck-street, Melbourne, Number Sixteen, Section Thirty-eight: Also, One Rood of Land in Jeffcott-street, Melbourne, Number Thirteen, Section Number Thirty-four, all in the County of Bourke: Also, Two half-acres of Land in Kyneton, in the County of Dalhousie, being Allotments Numbers One and Two, in Section Thirty-eight: Also, Forty Acres of Suburban Land in the Parish of Lauriston, near Kyneton, in the County of Dalhousie, being Numbers Sixteen, Seventeen and Eighteen, all of which I hold in Fee Simple:—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

JOHN O'SHANASSY.”

“ I, John Pascoe Fawkner, of Pascoevale, in the Parish of Jika, in the County of Bourke, in the Colony of Victoria, Esquire, do declare and testify that I am duly seized at Law or in equity of an Estate of Freehold for my own use and benefit in Lands or Tenements in the Colony of Victoria, of the yearly value of One Hundred Pounds, Sterling Money, above all Charges and Incumbrances affecting the same: And that such Lands or Tenements are of the description, and situate as follows (that is to say), First, all that Piece or Parcel of Land in the Parish of Tullamarine, in the County of Bourke, in the Colony of Victoria, aforesaid, containing Fifty-three Acres or thereabouts, and being Part of Portion Number Seven, of the said Parish: Secondly, All that Piece or Parcel of Land in the Parish of Tullamarine, aforesaid, containing Fifteen Acres, or thereabouts, and being Part of Portion Number Thirteen of the said Parish: Thirdly, All that Piece or Parcel of Land, in the Parish of Tullamarine aforesaid, containing Thirty-five Acres or thereabouts, and being Part of Portion Number Ten of the said Parish: And, Fourthly, All that Piece or Parcel of Land, in the Parish of the Dentgam, in the County of Bourke aforesaid, containing Seventy-two Acres or thereabouts, and being Part of Allotment B of Section 6, of the said Parish, and sundry Town Lots in Melbourne, and other places. J. P. Fawkner:—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

JOHN PASCOE FAWKNER.”

“ I, William Campbell, of Strath Loddon, do declare and testify, That I am duly seised at Law or in equity of an Estate of Freehold, for my own use and benefit, in Lands or Tenements in the Colony of Victoria, of the yearly value of One Hundred Pounds, Sterling Money, above all Charges and Incumbrances affecting the same: And further that the Lands or Tenements out of which such Qualification arises are situate in the County of Bourke, at Saint Kilda, in the Parish of South Melbourne, in the Colony of Victoria, being Portion of Allotment Number Five, together with the capital Messuage and Dwelling-house erected and built and standing, and being upon the said portion of Land, and the Rents, issues, and profits, and the rights, members, and appurtenances thereunto belonging:—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Council of Victoria.

W. CAMPBELL.”

Melbourne, 11th November, 1851.

" I, Charles Hilton Dight, do declare and testify, That I am duly seized at Law or in equity, of an Estate of Freehold, for my own use and benefit, in Lands or Tenements, in the Colony of Victoria, of the value of Five Thousand Pounds, Sterling Money, above all Charges and Incumbrances affecting the same : And further that the Lands or Tenements out of which such Qualification arises are situate in the County of Bourke, on the Yarra Yarra, known as the Ceres Mills, in the Parish of Jika Jika, containing Twenty-six Acres, in which I hold a half interest :— And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a member of the Legislative Council of the Colony of Victoria.

CHARLES HILTON DIGHT."

Colonial Secretary moved, and Mr Ebdon seconded, that a suitable Chair be prepared for His Excellency, on the occasion of his opening the Session, and that proper respect be shown to His Excellency by all the Members standing. Carried *nem con*.

Moved by Colonial Secretary, seconded by Mr Ebden, that this House do adjourn until to-morrow, at 12. Carried.

NOTICES OF MOTION.

THURSDAY, NOVEMBER 13, 1851.

1. COLONIAL SECRETARY: To move to-morrow that the Standing Orders adopted by the Legislative Council of New South Wales in the Session of 1849, be acted upon by this House until it shall have adopted Standing Orders of its own.

FRIDAY, NOVEMBER 14.

1. DR. MURPHY: To move that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid upon the table of this House :—
 - (1.) A Return of the amount of all money expended in the making and repairing of the Roads and Bridges of the Colony since the Financial Separation of the Colony from New South Wales: such Return to specify the amount expended in each Police District, the nature of the work, and the particular place where the work was executed.
 - (2.) A Return of the amount voted for the purpose.
2. DR. MURPHY: To move that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid upon the table of this House :—
 - (1.) Copies of all Correspondence which has taken place between the authorities of this Colony and those of New South Wales: and also, of all Correspondence between the Governments of both Colonies and the Imperial Government upon the subject of the Settlement of the Boundary Line between Victoria and New South Wales.
 - (2.) Copies of all Reports made by Surveyors of both Colonies upon the same subject.

TUESDAY, NOVEMBER 16.

1. DR. MURPHY: To move that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid upon the table of this House :—
 - (1.) A Return of the Dates of the discovery of the Gold Fields of this Colony, the names of the places where they exist, and the distances at which they are situated from Melbourne.
 - (2.) A Return of the number of Licenses issued to dig Gold, and the amount received in fees for the same.
 - (3.) The quantity and money value of the Gold forwarded by the Government Escorts since the discovery of the Gold Fields to the present time.
 - (4.) The estimated number of Persons residing at and employed on the Gold Fields.
 - (5.) The estimated produce as nearly as it may be ascertained of the Gold Fields to the present time.
 - (6.) The amount and nature of the expenses incurred by the Government on account of Gold digging, not including the increase of pay given to Persons unconnected with this occupation.
 - (7.) The amount of expenses incurred by increase of pay to Persons in the Public Service unemployed in Gold duties, with the particulars thereof.
 - (8.) The number of Persons who have arrived by Sea from neighbouring Countries since the discovery of the Gold Fields, specifying the numbers from each particular Country.

J. F. PALMER,

Speaker.

No. 3.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

THURSDAY, 13th November, 1851.

- 1.—Council met pursuant to adjournment; the Speaker took the Chair.
2.—GOVERNOR'S SPEECH.—His Excellency the Lieutenant Governor having been announced by the Serjeant-at-Arms, and conducted to his seat by the Speaker, read the following Speech :—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE COUNCIL :—

The public requirements have made it necessary for me to call upon you to assemble in Legislative Council before the close of the year, and I would express my regret that it has been quite out of my power, viewing the position of Government at this juncture, to do this at an earlier date. In now formally opening this First Session, I would offer to you, and through you to the inhabitants of the Colony at large, my most hearty congratulations upon the event which after so much delay has at length crowned your wishes.

Under the provisions of the recent Imperial Act, and Her Majesty's favor, you meet here this day as the representatives of the people of an independent Colony of the British Empire, with power to watch over the general interests, and to controul your own affairs, which has hitherto been from circumstances in a great measure denied you, and it is my earnest prayer to God, that you may be endowed with the wisdom and prudence which are requisite for a due discharge of the important duties entrusted to you.

For my own part, it is my most sincere desire, as far as I may be enabled, to co-operate with you in securing for the Colony satisfactory and efficient Government, and every advantage consistent with the real interests of the community. I cannot recognise in the present case any necessity for antagonism between the Governor and the governed, still less between the Executive and the Legislative branches of the administration, and I will not doubt but that you are disposed to entertain a similar feeling.

2. The Act of Parliament passed last year for the better Government of the Australian Colonies, was framed with the general purpose of maintaining the Constitution of New South Wales, as determined by the Constitutional Act of 1842, and of extending its principal provisions to the neighbouring Colonies. The modifications proposed, though few in number, and only in two or three instances affecting its fundamental principles are, however, very important.

These may be cited as :—

- 1st. The alteration in the Franchise.
- 2ndly. The increased controul given to the Legislative Body over that portion of the Colonial expenditure presumed to be provided for by the Schedules ; and
- 3rdly. The concession of the power without the intervention of Parliament to modify the Constitution of the Colony, at such times and in such a manner as may be clearly seen to be desirable or expedient.

With respect to the alteration effected in the Franchise, I may be permitted to remark, that nothing short of experience will decide the suitability or sufficiency of such change to the actual circumstances of the community into which it is introduced.

The second point is one which the Council will doubtless consider of great interest, and I think that I am acting in accordance with the general wish of Her Majesty's Government, and anticipating that of the Legislative Body, in proposing to take it at once into my counsels, and in placing before it a statement of that portion of the proposed Colonial expenditure which is presumed to be covered by the Schedules ; appealing to its judgment as to the adequacy or inadequacy of the provision made by Law. I am disposed to avail myself of any suggestions which it may be inclined after due consideration to offer, calculated to remove any just cause of mistrust or dissatisfaction between the Executive and Legislative Bodies, and to place the expenditure which may be requisite for the due administration of the public affairs upon a permanent and efficient footing ; due

regard being had to the interests of those public servants who may be in a position to claim the observance on the part of the Executive Government, of the distinct engagements under which they may have taken office.

The present limits to the powers of the Legislative Council in dealing with the reserved portion of the Public Revenue, are defined by the Imperial Act.

With respect to the third point I have alluded to, viz.,—the power conceded to the Colonists by the Imperial Act to modify the existing Constitution without its intervention, all I need say is, that however strongly and earnestly I must deprecate hasty or untimely legislation in this direction, and consider that situated as we actually are at this time, there are more immediate and pressing duties before us which must first claim attention, if we act well and wisely. I fully recognize the propriety and wisdom of this power being conceded, and I look forward with assurance to the time when it may be both judiciously and properly exercised with great advantage to the Colony.

3. The issue of the writs for the Election of Members to serve in the future Legislative Council of the new Colony, on the 1st of July, having completed the steps requisite for the severance of the Port Phillip District from the Older Colony, to which it had been hitherto attached, our history as a distinct community dates from that epoch.

It then devolved upon me under the Commission and instructions transmitted to me as your Lieutenant Governor, to organize a distinct Colonial Government, and to assume the responsibility of making such arrangements as were indispensably necessary in this view. It is gratifying to me to believe that these changes were carried into effect without any serious suspension of the functions of Government or embarrassment to the public, and that it has been in my power, in general accordance with the instructions furnished me, to embody and recommend for Her Majesty's approval, such an Executive Administration as may justly lay claim to public confidence and respect.

It has been my object from the very outset to seek to place the Public Service, as far as circumstances have permitted, upon such a footing as might give additional facilities to the convenient despatch of business, and assurance to both myself and the public that the duties are properly performed. There are further modifications of existing arrangements, which even if in the power of Government to operate can only be brought about gradually. In seeking to effect others, it may be necessary for me to ask the advice and assistance of the Legislative Council, I would at once state that I do not wish to rest satisfied with any system short of that which may combine the greatest economy both of time and money with convenience and efficiency.

In the meantime, the inhabitants of the Colony have been called upon to exercise their privilege of Election of Members to serve in this first Council; and I have remarked with pleasure the general good order and temper which have distinguished the General Election, both in Town and Country—on in cases where contests have taken place.

4. I am happy to be in a position to congratulate you upon the time and circumstances under which the erection of the District into an independent Colony has taken place.

Notwithstanding the limited Emigration from the Mother Country during the latter months of 1850, and earlier portion of the present year, and the unusual drought of last season, which, added to the previous discouragements under which the Agricultural Districts laboured, and the extraordinary visitation to which the Colony was exposed in February last, restricted to a certain extent, our powers of internal supply, no material check whatever has been observable in the progressive advance of the Colony in wealth and prosperity. The Census of March last, showed that Port Phillip had actually, more than doubled its population within the space of five years, and the comparative returns of Revenue exhibit proof that her resources were steadily on the increase.

It is not in my power to lay before the Council, at this time, full and complete statements of our Financial position at the date of Separation from New South Wales, but I will take the earliest suitable opportunity of doing so, as soon as the requisite documents, now in the course of preparation, may be in my possession.

In the meantime, certain papers will be laid on your table, showing the character of the Financial arrangements which have taken place between the two Colonies, pending the receipt of the decision of the Home Government as to the appropriation of Balances in the Treasury at the above date.

From these, it will be seen that the Colonial Treasury of Victoria was credited on the first of July with the sum of £33,688 3s. 3d. on account of the ordinary, and with that of £72,669 11s. 8d. on account of the Territorial Revenue of the Province. The further sum of £29,851 6s. 1d, which, according to another mode of adjustment of accounts proposed by me, would have been credited to Victoria, being held in abeyance until the definite decision of the Secretary of State were known.

It is scarcely requisite for me to state that the sums paid, as just stated, into the Colonial Treasury of this Colony, in addition to the Revenue under both heads accruing during the six months ending 31st December, will not only be sufficient to meet all the Expenditure of Government, but must leave a very considerable balance in hand.

The future Financial prospects of the Colony continue at this time most flattering and satisfactory. I see no reason to apprehend that the Revenue of 1852 will fall short in any of its more important Branches of the expectations now generally entertained, of gradual and steady increase. And I believe that it will be found amply sufficient to cover any increased expenditure which the circumstances of the Colony may render necessary. The only branch of Ordinary Revenue in which a falling off may be anticipated, may possibly be that of Postage, as it my intention, in submitting to the Council the consideration of a new Postage Act, which it may be requisite to introduce, without unnecessary delay, to propose a repeal of the present charge of the postage upon newspapers.

It is not requisite for me to enter here upon details which may be much better included in a Financial Minute, or more conveniently brought under your notice by the Officials charged with the duty of offering detailed information and explanation in the Council.

6. It will be my duty to submit to the Council, early in the Session of 1852, the necessity of a Revision of the existing Tariff. And, I would at once state, that whatever measure may be submitted by me to your consideration to this end, will be based upon the most liberal principles, and the admission of the strict community of interests, which not only binds us to the neighbouring Colonies, but unites us with the whole commercial world. The Council will, however, doubtless agree with me, that as far as the Australian Colonies are concerned, it is highly expedient that they should all concur in the same general views, and that our respective Local Acts should, as far as possible, embody and carry out the same principles. I am led to believe, that no insuperable difficulties need be anticipated in securing this advantage.

I would remind you that, although from the date of the Separation of the Colonies, the authority of the Governor and Council of New South Wales over that portion of the Territory known as the Port Phillip District, altogether ceased, still it has pleased Her Majesty, by the appointment of a Governor-General over the Australian Colonies, including the new Colony of Victoria, to lend facilities to the consideration of inter-colonial questions, and to the arrangement and adoption of such measures as may be judged expedient for the general interests of the appendages of the Empire in this quarter of the globe.

7. Viewing the present position of our newly organised Government, the late, and the perhaps inconvenient season of the year at which you are called together, it has appeared to me that, both on official and general grounds, I am justified in suggesting to the Council, that the business of the Session should be confined, as far as practicable, to the consideration of the requisite Acts of Appropriation, and the passing of these and any subsidiary Bills which may have direct reference to the scheme to be submitted to you. The Estimates of Public Expenditure for 1852, and a Supplementary Estimate for the current year, will therefore be placed before you without delay. They have been framed with the strictest attention to economy, consistent with the efficiency of the various branches of the public Service, or obligations of Government. They will be presented to you in what I would consider is an improved form, from which every detail has been excluded which might embarrass their consideration by the Council, or obscure the plain purpose of Government in seeking its sanction to such and such expenditure.

They will be accompanied by a Financial Minute, offering such general or detailed remarks on any part as may be usual or requisite, for the information of the Council. There are, however, one or two points to which I may here briefly advert.

In suggesting to the Council the appropriation of certain sums, amounting in all to £16,000, towards works of internal improvement, irrespective of those proposed to be executed under the head of "Public Buildings," I am quite aware of the disproportion which these sums bear to the number and magnitude of the claims which are advanced on every side for attention. But in determining the amount of appropriation under this head, not only has the ability of the Government to set aside a larger portion of our Prospective Revenue for this particular purpose, consistent with due regard to the efficiency of other branches of service to be considered, but its power of expending larger sums at this particular juncture, in a manner advantageous to the public, has to be duly weighed.

I would however, state to the Council, that it is my intention to propose that a sum not exceeding £10,000, drawn from the Territorial Revenue, should be devoted to the purpose of internal improvements of the Colony, and the construction of lines of interior communication during the year 1852, to meet equivalent appropriations from the Ordinary Revenue. I consider that this measure will be both just to the Colony, and in general consonance with the views of Her Majesty's Government and I am prepared to submit it without delay for the sanction of the Secretary of State, in the full persuasion, should no unforeseen charges be thrown upon that Fund, that the state of the Territorial Revenue will warrant my carrying out my intentions.

I have little doubt but that, in future years, a larger proportion may be judiciously devoted to similar purposes, particularly if, as contemplated by the Imperial Act, a system of District Councils and the local application of Funds available for internal improvements, should come into effective operation.

8. On the most important subject of Education, I would observe, that it was almost the first point of great and general interest which occupied the attention of my Executive Council, after the Separation of the Colonies had taken place, and I had been induced in consequence of the anomalous position in which we are found to stand in the new Colony, in seeking to carry out the existing arrangement as authorised by the Act of the Governor and Council of New South Wales, 11 Victoria, No 48, to propose the introduction of a system of Public Education, based upon somewhat modified principles to those now in force. The draft of a short Bill will be submitted to you early in the Session, constructed with this view. It will be accompanied by sufficient documentary or verbal explanation, to enable the Council to form a conclusion upon the applicability of the scheme proposed to the circumstances of our population, and to decide whether it would be well to introduce it formally in this Session, or defer the decision upon this most important subject to the early Session of 1852. I shall be disposed to modify the Estimate of Appropriation for Education, to be placed before you, in any manner consistent with my power, according to the decision you may arrive at on this head.

9. The present Judicial arrangement of the Colony being in many respects a peculiar and inconvenient one, I have to suggest that early advantage should be taken of the liberty conceded to the Government of the Colony by the Imperial Act, either to continue the arrangement now in force, or to proceed without much delay to the establishment of a Supreme Court for the Colony of Victoria. In the impression that this will be held to be the proper course, the draft of certain Bills, framed with the view to place the administration of Justice upon a more satisfactory

footing, will be laid upon your table, in order that the Council may come to a decision as to the course it may be expedient to adopt. The formal introduction of these measures may, if the Council judge proper, be deferred until next Session.

In the meantime I am anxious that the whole subject of the Administration of Justice, in all its more important branches and the Public Expenditure connected therewith, should receive the fullest consideration on the part of the Council.

10. There is still one subject of great and absorbing interest to which it may be proper for me to advert, as it is one which will undeniably exercise a great and lasting influence upon the future position and prospects of our Colony.

The discovery of the existence of Gold in large quantities in New South Wales, earlier in the year, has been quickly followed by that of mineral wealth in equal or perhaps greater abundance within our own limits, under circumstances which might leave it to be inferred that it may be found to exist throughout the length and breadth of the Colony.

The immediate effects of this discovery, the influence which it has at the outset exercised, more or less upon the whole population, and monetary difficulties and anxiety to which it has given rise, can only be glanced at. I am encouraged however to hope, that the more immediate consequences of these discoveries at this particular season of the year, may ultimately prove less productive of general embarrassment, than may have been at first anticipated, and that it will be found, that neither the agricultural nor the pastoral interest will suffer to any very serious extent.

I am also encouraged to trust, that the large influx of population from the neighbouring Colonies,—at the same time that it must involve many grave considerations of a general character,—may not be productive of the scarcity which some have apprehended. The prospects of the harvest throughout the whole of the Colonies are most satisfactory, and there can be little doubt but that abundant supplies from without, sufficient to meet the demand, however great, or unexpected, will not be wanting.

The position into which the Executive Government of the Colony, scarcely in full and assured working, has been thrown by these unexpected events, has been an embarrassing one. The rise in the price of the necessaries of life, and the temptation held out to the subordinate Officers of Government to quit the service, even after the discoveries in New South Wales in March last, induced the Governor General to sanction an increase of remuneration to certain classes; which events occurring within our own limits, subsequent to the separation of the Colonies, have shown to be insufficient to effect the proposed object. I found it absolutely necessary at the commencement of October, to assume the responsibility of directing such further and more general increase, in the scale of remuneration to the Clerks in the various Government departments and subordinate Officers of Government as might present a remedy—give that degree of encouragement which is justly claimed at the hands of the public, and remove every just cause for desertion.

It has also become imperative upon me to make considerable additions to the Public Force of the Colony, not only for the purpose of assisting the Crown Officers in carrying out the Regulations, and furnishing Escort for the gold sent to the Towns, but also that of preserving good order, and due observance of the laws amongst the large population congregated at the various workings, and pouring into the Colony. In taking these measures, I have relied upon the sanction of the Legislative Council of the Colony, and its willingness to make provision for such portions of this expenditure as may justly be held to form a charge upon the Ordinary Revenue.

Many difficulties, arising from the very circumstances, and the character of the public excitement, have been met by Government, in seeking to carry out the prescribed regulations for the control of the Gold Fields, and in taking those measures which it was called upon to adopt, under every circumstance of disadvantage, for the preservation of order. No exertion has been spared however, to attain these objects, and the general results up to this date, thanks to the orderly conduct of our own population, have been upon the whole satisfactory.

Whatever may be the course pursued ultimately with reference to this important subject, I am most anxious to advocate and adopt such measures as may be for the public interest; and I confidently rely upon the Legislative Council of the Colony, to afford its assistance to this end whenever the receipt of the instructions from home which, in the case of the older Colony, may be expected before the close of the present year, may enable me to decide upon the character of the measures to be adopted, and the expediency of calling for that co-operation.

11. I shall consider it my duty at all times to afford the Council every information in my power upon subjects of general interest, and as occasion offers, to place before it any documents explanatory of the state of the Colony, the measures of the Local Government, or the results of existing arrangements which may assist its deliberations.

And now, Mr Speaker and Gentlemen, I am not, for my part, inclined to undervalue the responsibility of the task which the favour of our Gracious Sovereign, the Law of our Country, and the voice of the community have placed in our hands. It is a noble one, and far higher interests than those of the passing hour demand, that it should be well performed. What we sow our children will reap.

It is for us to prove to the Mother Country, by the temper and prudence with which we fulfil our duties, that we are not unworthy of her; and we have to show to the world, that in the case of Victoria, early precocity, and an extraordinarily rapid, physical, and perhaps moral development are not necessarily followed by early decay, and failure of power, but that, under God's good providence, her mature age will not be unworthy the promise of her youth.

C. J. LA TROBE.

Lieutenant-Governor.

Melbourne, 13th November, 1851.

His Excellency the Lieutenant-Governor having been conducted to the door by the Speaker, the Council adjourned at half-past 12 o'clock until 3 o'clock.

ADDRESS IN REPLY TO THE LIEUTENANT GOVERNOR'S SPEECH.

3. The SPEAKER read the copy of the speech of His Excellency the Lieutenant Governor on opening the Session.

THE ATTORNEY GENERAL rose to a point of order, objecting to the language in which the contingent Notice of Motion given by Mr. O'Shanassy was couched, but it being ruled by the Speaker that he was out of order—debate was postponed.

MESSAGE—DISPUTED ELECTION RETURN.

4. The following Message from His Excellency, received and read.

MESSAGE No. 1.

“ C. J. LA TROBE, LIEUTENANT GOVERNOR.

“ In accordance with the provisions of the 64th Section of the Victoria Electoral Act, the Lieutenant Governor lays before the Legislative Council a Petition received on the 29th of October last, from certain Electors of the Electoral District of Geelong, against the return of Robert Robinson, Esq.”

“ Government Offices,
Melbourne, 13th November, 1851.”

Ordered to be Printed with the accompanying Petition.

ADDRESS IN REPLY TO THE LIEUTENANT GOVERNOR'S SPEECH.

5. Dr. Murphy moved, seconded by Mr. Mercer, that a select Committee to consist of the following Members be appointed to prepare a suitable address in reply to the speech which His Excellency the Lieutenant Governor has this day made to this House—such Committee to consist of the following Members, viz :—

The Colonial Secretary	Mr. Goldsmith,
Mr. Westgarth,	Mr. Ross,
Mr. Miller,	Dr. Murphy.
Mr. Mercer,	

Question put and passed.

Dr. Murphy having brought up the address in reply to the speech of His Excellency the Lieutenant Governor on opening the Session of the Council as prepared by the Committee intrusted therewith, the address was read by the Clerk as follows :—

“ To His Excellency Charles Joseph La Trobe, Esquire, Lieutenant Governor of the Colony of Victoria, and its Dependencies, &c., &c., &c.”

“ MAY IT PLEASE YOUR EXCELLENCY :—

“ We, Her Majesty's most dutiful and loyal Subjects, the Members of the Legislative Council of Victoria, in Council assembled beg respectfully to state that we are happy to avail ourselves of this opportunity to present to your Excellency our expression of loyalty to our most Gracious Sovereign—our attachment to the Government and institutions of our Country.

We thank your Excellency for the Speech you have addressed to this Council, and we beg to offer to your Excellency our congratulation upon your Elevation to the high position of Lieutenant Governor of this Colony, and to participate in the feelings with which you regard the event of our Separation from New South Wales, which after so much delay has at length crowned our wishes.

We trust that the important duties of watching over the general interests and controlling the affairs of the Colony which have been confided to us, will with God's permission be discharged by us with the wisdom and discretion requisite for such high purposes, and we join with your Excellency in the sincere desire that we may be enabled to co-operate with your Excellency in securing for the Colony, a satisfactory and efficient Government, and every advantage consistent with the real interests of the Community.

2. We are deeply sensible of the importance of the modification of the Constitutional Act of 1842, contained in the Act passed last year, and we will carefully consider the portions of those modifications specified by your Excellency, with a due regard to all the interests affected by them.

3. It is gratifying to us to learn that the conduct of the Public business of the Country was not embarrassed by the severance of our connection from New South Wales, and that your Excellency has been enabled to organize such an Executive Administration for Her Majesty's approval as may be found entitled to public confidence and respect.—In common with your Excellency we have marked with pleasure the general good order and temper which have distinguished the Elections both in Town and Country, even in places where contests have taken place.

4. It is a source of satisfaction to us to notice that notwithstanding the limited Emigration from the Mother Country during the latter months of 1850 and earlier portion of the present year, and the unusual drought of the present season, (which added to the previous discouragements under which the Agricultural interests laboured, and the extraordinary visitation to which the Colony was exposed in February last, restricted to a certain extent our powers of internal supply), no material check whatever has been observable in the progressive advance of the Colony in wealth and prosperity, and that the Census of March last showed that Port Phillip had actually more than doubled its population within the space of Five years, and that the comparative returns of Revenue, exhibit proof that her resources were steadily on the increase.

5. We feel desirous of possessing full and complete statements of our Financial position at the date of separation from New South Wales, and we are glad to learn that your Excellency will take the earliest suitable opportunity of laying them before us—as soon as the requisite documents now in the course of preparation may be in your possession. Meanwhile we will consider the papers to which your Excellency refers, as showing the character of the Financial arrangements which have taken place between the two Colonies, pending the receipt of the decision of the Home Government as to the appropriation of the balance in the Treasury at the above date, and we receive with satisfaction your Excellency's statement that the amount of Funds in the Colonial Treasury will not only be sufficient to meet all the expenditure of Government, but must leave a very considerable balance in hand. Equally with your Excellency we see no reason to apprehend that the Revenue of 1852, will fall short in any of its most important branches of the expectations now generally entertained of gradual and steady increase.

It affords us great gratification to learn that it is your Excellency's intention in submitting to the Council the consideration of a new Postage Act, which it may be requisite to introduce without unnecessary delay, to propose a repeal of the present charge of Postages upon Newspapers.

6. We shall carefully consider your Excellency's measures for the revision of the Tariff, and we agree with your Excellency that as far as the Australian Colonies are concerned, it is highly expedient that they should all concur in the same general mind on the question, and that our respective local Acts should as far as possible, embody and carry out the same principles. It is especially satisfactory to us to learn that your Excellency is led to believe that no insuperable difficulties need be anticipated in securing this advantage at an early period.

7. We will carefully consider the Estimates of Expenditure for 1852, and the Supplementary Estimate for the current year when they shall be placed before us, with the determination of exercising the strictest economy in the appropriation of the Public Money, consistent with the efficiency which may appear to be necessary for the conduct of the Public Service.

8. The Bill for establishing a system of Public Education shall meet with our earnest attention, and we will not fail to put your Excellency in possession of our decision upon it, at the earliest possible period.

9. We shall also be prepared to consider attentively, all measures that may be placed before us connected with the administration of Justice within the Colony.

10. The discovery of Gold in abundance over an extensive portion of the Territory of Victoria is an event of the utmost importance, and one which no doubt will lead to results of vital consequence to the Social and Political condition of the Colony.—The absorption of labour in the exciting pursuit of Gold Digging, created considerable public anxiety for the welfare of the great productive interests of the Country, but it is most satisfactory to us to learn that your Excellency is encouraged to hope that the more immediate consequence of their discoveries at this particular season of the year, may ultimately prove less productive of general embarrassment than may have been at first anticipated, and that it will be found that neither the Agricultural nor Pastoral interests will suffer to any serious extent.

11. We are convinced of your Excellency's desire to afford to the Council at all times every information upon subjects of general interest, and to place before it any documents explanatory of the state of the Colony, and while we willingly admit your Excellency's expression of your deep sense of the responsibility of the task which has devolved upon you as the first Lieutenant Governor of a newly erected Colony, we are anxious upon our part to record the serious feelings with which we approach the duties that devolve upon us, convinced that far higher interests than those of the passing hour demand that they should be well performed."

5. Moved by Dr. Murphy, and seconded by Mr. Mercer, that the Address now read by the Clerk, be adopted as the reply of this Council to His Excellency the Lieutenant Governor's Speech on opening the Session.
Question put and passed.
6. Moved by the Colonial Secretary, and seconded by Mr. Barry, that that the above Address in reply be presented to His Excellency the Lieutenant Governor by the Colonial Secretary, the Speaker, Dr. Murphy, and Mr. Mercer.
Question put and carried.

RESUMED QUESTION OF ORDER.

7. The Attorney General in continuation of Debate on Mr. O'Shanassy's contingent Notice of Motion, moved that—inasmuch as that it is blasphemous and unparliamentary, it be expunged from the Notice Paper of this Council—which Motion was seconded by Mr. Haines.
The Notice was read by the Clerk by order of the House.
After discussion Mr. O'Shanassy requested permission to withdraw the Notice, which permission was granted by the House.

STANDING OKDERS.

8. Colonial Secretary moved pursuant to Notice, that the Standing Orders adopted by the Legislative Council of New South Wales in the Session of 1849, be acted upon by this House until it shall have adopted Standing Orders of its own, which motion was seconded by Mr. Fawkner.
Question put and carried.
9. Colonial Secretary by command of His Excellency the Lieutenant Governor laid upon the Table of this House the following papers, viz :—
A Copy of an Act of Parliament made and pssed in the 13 and 14 of Her Majesty's Reign, c. 59, intituled, "An Act for the better Government of Her Majesty's Australian Colonies."
Also a Copy of an Act of Parliament passed in the 5 and 6 years of Her Majesty's Reign. cap. 76, entitled, "An Act for the Government of New South Wales, and Van Diemen's Land."

Also a Copy of an Act of Parliament, passed in the 7th and 8th years of Her Majests's Reign, cap. 72, intituled, "An Act to clear up doubts as to the Regulation and Audit of the Accounts of the Customs in New South Wales."
Also a copy of an Act of Parliament passed in the 7th and 8th years of Her Majesty's Reign, c. 74, entitled, "An Act to explain and amend the Act for the Government of New South Wales, and Van Diemen's Land."
Also a Copy of an Act of the Governor and Council of New South Wales, in the 14th year of Her Majesty's Reign, called the "Victoria Electoral Act."
Ordered to be printed.
10. Colonial Secretary by command of His Excellency the Lieutenant Governor, laid before the House a Synopsis of the Trade of the Colony, as shewn by comparative statements of the past Seven Years, (1844 and 1850).
Ordered to be printed.
11. Colonial Secretary by command of His Excellency the Lieutenant Governor laid before the House, "A Return of the actual Amount expended from the various Votes for Public Buildings, from the 1st January to the 30th October, 1851, inclusive; showing also the amount voted for each particular Building.

Ordered to be printed.

The Colonial Secretary by command of His Excellency laid upon the Table of the House the following papers, viz :—

1. Census of Victoria for the Year 1851.
2. Returns of the Liabilities and Assets of the several Banks of the Colony, rendered pursuant to 4 Victoria, No. 13.

3. Rules and Orders of the Supreme Court of New South Wales for the District of Port Phillip now called as, and being the Colony of Victoria, in its Insolvency Jurisdiction, made since 1st July, 1851.
4. Rules and Orders of the Supreme Court, in its Equity and Common Law Jurisdiction, rendered in conformity with the 6th Section of Act of Council, 7 Victoria, No. 19.
5. Report of the Attorney and Solicitor General, framed by them in consideration of the present position of the Judicial Establishment of the Colony.
6. Report furnished by the Colonial Architect, on the improvement of the Port of Melbourne, together with a Report of Survey of the Yarra Yarra, with accompanying Maps.
7. Report upon the improvement of the navigation of the Geelong Harbour, with Survey, Report, and Map of the same.
8. Copy of a Despatch concerning the Customs Establishments in the Australian Colonies, together with a Despatch to His Excellency the Lieutenant Governor, relative to the Customs Establishment of this Colony.
9. Copies of Despatches and Documents relative to Emigration to this Colony for the Year 1852
10. Report of the progressive and present state of the Botanic Gardens, Melbourne, from 30th September 1850, to 30th September 1851, inclusive.
11. Copies of Despatches from the Hon. the Colonial Secretary of New South Wales, relating to the Financial Separation of that Colony from Victoria.
12. Return of Pilots employed and Pilotage received in the year 1850.
13. Return shewing the Expenditure on Public Works, from 1st January 1851, to 31st October, 1851.

Ordered to be printed.

Mr. Johnston moved the suspension of Standing Order X., which was seconded by Mr. Miller, question put and carried.

Mr. Johnston then moved that Dr. Murphy be appointed the Chairman of Committees of the whole of the Council, which Motion was seconded by Mr. Splatt. Question put and carried. Whereupon Dr. Murphy made his acknowledgments to the House.

The Colonial Secretary reported to the House that His Excellency the Lieutenant Governor had expressed his willingness to receive the address of this House, at the Government Office, at half-past two o'clock to-morrow, and moved that the House be adjourned until a-quarter to two o'clock to-morrow, in order to proceed to the Government Office with the Address, and the House adjourned at a-quarter to six accordingly.



NOTICES OF MOTION.

FRIDAY, NOVEMBER 14.

1. DR. MURPHY: To move that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid upon the table of this House:—
 - (1.) A Return of the amount of all money expended in the making and repairing of the Roads and Bridges of the Colony since the Financial Separation of the Colony from New South Wales: such Return to specify the amount expended in each Police District, the nature of the work, and the particular place where the work was executed.
 - (2.) A Return of the amount voted for the purpose.
2. DR. MURPHY: To move that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid upon the table of this House:—
 - (1.) Copies of all Correspondence which has taken place between the authorities of this Colony and those of New South Wales: and also, of all Correspondence between the Governments of both Colonies and the Imperial Government upon the subject of the Settlement of the Boundary Line between Victoria and New South Wales.
 - (2.) Copies of all Reports made by Surveyors of both Colonies upon the same subject.
3. MR. DUNLOP: To move that Public Prayers to Almighty God be offered up daily at the opening of this Council, so soon as the Speaker shall have taken the Chair.
That it be referred to a Committee of this Council to select or prepare a suitable Form of Prayer for this purpose, and that the said Form of Prayer when approved of by the Council be used exclusively on all such occasions, and be read by the Speaker.
4. COLONIAL SECRETARY: To move that Tuesday, Wednesday, Thursday and Friday in each week, be the days on which the Council shall meet for the despatch of business during the present Session, and that Three o'Clock be the hour of meeting on each day.
5. COLONIAL SECRETARY: To move that on Wednesday and Thursday in each week the transaction of Government business shall take precedence of all other business.
6. COLONIAL SECRETARY: To move that the following Members be appointed a Select Committee to prepare such Standing Rules and Orders as shall appear best adapted for the orderly conduct of the business of this Council, such Committee to Report not later than this day fortnight, that is to say—

THE SPEAKER.		MR. MILLER.
THE ATTORNEY GENERAL.		MR. SPLATT.
AUDITOR GENERAL.		
7. COLONIAL SECRETARY: To move that a Library Committee be formed for the present Session, to consist of the following Members, that is to say—

THE SPEAKER.		MR. GRIFFITH.
THE SOLICITOR GENERAL.		MR. FAWKNER.
MR. WESTGARTH.		

TUESDAY, NOVEMBER 18.

1. DR. MURPHY: To move that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid upon the table of this House:—
 - (1.) A Return of the Dates of the discovery of the Gold Fields of this Colony, the names of the places where they exist, and the distances at which they are situated from Melbourne.
 - (2.) A Return of the number of Licenses issued to dig Gold, and the amount received in fees for the same.
 - (3.) The quantity and money value of the Gold forwarded by the Government Escorts since the discovery of the Gold Fields to the present time.
 - (4.) The estimated number of Persons residing at and employed on the Gold Fields.
 - (5.) The estimated produce as nearly as it may be ascertained of the Gold Fields to the present time.
 - (6.) The amount and nature of the expenses incurred by the Government on account of Gold digging, not including the increase of pay given to Persons unconnected with this occupation.
 - (7.) The amount of expenses incurred by increase of pay to Persons in the Public Service unemployed in Gold duties, with the particulars thereof.
 - (8.) The number of Persons who have arrived by Sea from neighbouring Countries since the discovery of the Gold Fields, specifying the numbers from each particular Country.
2. MR. FAWKNER: (1.) To move that an Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to lay before this House a full Statistical Account of the Pastoral and other occupiers of the Waste Lands of the Crown in this Colony.
(2.) A Yearly Return shewing the number and extent of the holders and quantity of land and stock, and the sums paid by each, and whether paid by persons holding stock or occupying for other purposes.

- (3.) A Yearly Return of all Persons holding Licenses to Cut Wood, Quarry Stone, Burn Lime, and generally of all Persons paying License Fees to enable them to use the products natural to this Province.
- (4.) A Return as early as practicable of the Quantity of Land held by or returned by each individual as held by or claimed by him or her, together with the amount of Stock then on each Run: and also the amount of Stock each holder estimates his or her Run will hold: and also the Return of the Crown Lands' Commissioner on this point, if any Return has been made by such Official.
- (5.) A Return of the Probable Quantity of Stock this Province could agist, if such Return has ever been made by the Crown Lands' Commissioners or either of them: and from the year 1847 a full Return of how much each Stockholder paid yearly as License Money, as Assessment Money, or in any other manner to the Local Government for the use of Crown Lands, distinguishing how many Licenses each Person holds, how much Stock each Holder keeps on each Run: and how far short this Return is of the number stated by the Holder of each License the Land would agist in the Return made on this subject.
- (6.) An Account also of the Number, Names, and Costs of the Crown Lands' Commissioners for each year separately, together with the whole Cost of their Departments, whether of Servants, of Policemen, Horses, Provender, Buildings, Arms, Ammunition, Accoutrements, Fencing and Cultivating Paddocks, and generally of all and sundry the Cost to the country of this Department, Town, or other Offices, and a copy of the instructions issued to them, to guide them in apportioning the quantity of Land to each License.
3. MR. FAWKNER: That an Address be presented to His Excellency the Lieutenant-Governor, praying that he will be pleased to lay before this House a Statistical Return of the whole cost of the Native Police, from its first formation up to the present time, distinguishing each several amounts for each year. The cost of officers, the cost or pay of the men, the cost of arms, of ammunition, of provision, of clothing, of buildings, whether erected purposely for this Force, or transferred from other uses, of horses and their food, and of paddocks, either for growing food, or affording native grasses. In fact, every direct and indirect expense this body of Police has caused to be taken from the Public Monies.
4. MR. FAWKNER: To move that this Council do Address His Excellency the Lieutenant-Governor, praying him to take such measures, by Bill or otherwise, as will render the Gold, the produce of this Province, a Legal Tender, and embodying a proposition to establish an Assay Office, in which such Gold shall be cast into ingots, and duly stamped as of such fineness as it may prove, and in Bars of an ounce and its multiples, and to fix upon it a value at which it shall be taken in all the public offices of the Colony, and, if need be, declared a Legal Tender—say at Three Pounds Ten Shillings per ounce.

WEDNESDAY, NOVEMBER 19, 1851.

1. MR. WESTGARTH: To move that this Council affirms the following Resolutions, as expressive of its views on the Question of Transportation:—
- That, although this Colony has emphatically refused to receive Convicts transported direct from Britain, of any denomination, or under any circumstances whatever: And, although the British Government now abstain from attempting this course, nevertheless this Colony, as being immediately adjacent to Van Diemen's Land, is exposed to an incessant influx of the criminal population of that Island, promoted by the arrangements of the Tasmanian Government; and the recent system of issuing pardons to prisoners newly arrived in Van Diemen's Land, made conditional on these parties quitting the Penal Settlement, can be regarded only as an evasion of the moral rights of this Colony, which, as the most accessible resort of these persons, is thus exposed to all the worst evils attending direct Transportation.
- That, in addition to the moral injury resulting to society from these continued accessions to the population, there is entailed upon this Colony an unusual and enormous expence for Police and Gaols, the criminal convictions, in the great majority of cases, being of persons who have been originally transported to Australia under sentence for crime, and the Colonial public having, ever before then, a costly, difficult, and discouraging problem in the question of Prison Discipline, and the management of large numbers of offenders.
- That no system, by which criminals are accumulated in any one locality, can be otherwise than subversive of every right principle of society, such portions of the community necessarily standing forth as a foul and contaminating blot upon the social surface. And that this view of the subject is alike suggested and confirmed by the language of the present Secretary of State for the Colonies, when he himself declared, in 1847, with reference to Van Diemen's Land, and with the full intention at that time, on the part of the Home Government, of abolishing Transportation, (an intention that has since been unhappily set aside,) that the effects resulting from this system were a disgrace to the British name.
- That the recent discovery of Gold, apparently spread in large quantity over this and the adjacent Colony, now places the Transportation Question in a new and still more alarming light, both as regards the internal tranquillity of this Colony, and also as to the expediency

of continuing, as a punishment the transportation of offenders to this auriferous region of the world, a System which, in the opinion of this House, must, in a great degree, operate in the Mother Country as a bounty on the commission of crime.

That as the great material prosperity of these Australian Settlements has been attracting hitherto large numbers of the population of the Parent State, and of other parts of Europe, and as this extension of Colonial Society must soon be immensely accelerated by the announcement of the discovery of Gold, in connexion with the anticipated early introduction of direct Steam Navigation—therefore, under these interesting and momentous circumstances, indicative of so complete a change in this part of the world, since Britain in the preceding century cast forth her transported criminals upon an unexplored and desolate Sea coast, this House desires to recognise a great principle of mutual necessity and justice; that in the present condition and prospects of this hemisphere, it is an obligation on the part of the Parent State, as it must be also with every other Government and people, not to eject her criminals into these other societies which are already sufficiently charged with their own; that any imitation of her Penal policy, on the part of other European States, would tend to involve in social and moral destruction the whole Southern Hemisphere, and that no accidental circumstance, whether of established usage, or legal right, can either effect the moral bearings of the case, or remedy the disorders that result from such a System.

That an Address be presented to His Excellency the Lieutenant-Governor, requesting His Excellency to forward the foregoing resolutions to the Secretary of State for the Colonies, with a recommendation of their favourable consideration by Her Majesty's Government.

2. MR. FAWKNER: To move that this Council do address His Excellency the Lieutenant-Governor, praying that he will be pleased to order and direct that one Common and one or more Parks be reserved around, as far as practicable, each Township or Village that now is, or hereafter may be formed; and that a certain number of the inhabitants of each Village or Township, be selected by the resident inhabitants to apportion the right of Commonage, and generally to guard the local rights of the people.
3. MR. FAWKNER: To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that he will be pleased to cause to be laid before this House, a Return of the amount voted to be expended on the Sydney Road between Melbourne and Kilmore, stating the amount actually expended as ordered, and accounting for the remainder.
4. MR. JOHNSTON: To move that an address be presented to His Excellency the Lieutenant-Governor, praying that he will cause to be laid on the Table of the House, copies of all correspondence between the Government of this Colony and the Government of Van Diemen's Land, on the subject of the manumission and dispersion through the adjacent Colonies of Convicts sent out under sentence of Transportation to Van Diemen's Land; and also of any remonstrances on this subject which may have been addressed to the Home Government by the Executive.

THURSDAY, NOVEMBER 20, 1851.

1. MR. FAWKNER: To move to Repeal all Inter-Colonial Acts that levy dues upon Colonial Products.

FRIDAY, NOVEMBER 21.

1. MR. FAWKNER: To move that this House do take into consideration the question of Repealing the Act empowering the Licensed Occupants, and others, of Crown Lands, to impound Stock trespassing thereon, and to charge any amount of driving money they please, the same being totally unconstitutional, and conferring an invidious pecuniary award to one class of the community to the dire injury of all other persons.

TUESDAY, NOVEMBER 25.

1. MR. FAWKNER: To move for the Repeal or Modification of the Law exempting from Auction Dues the Stock and Stations of the Occupants of Crown Lands, the Act being one mode to exempt all Colonial Produce, Stock and Stations from paying any Auction Dues; this being also a class Act conferring undue advantages on one class of this community to the injury of all other classes.
2. MR. O'SHANASSY: To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House:—
 - (1.) A Return of the Gross Proceeds arising from the Sale of Waste Lands of the Crown, from the foundation of Port Phillip to its erection into a Separate Colony, on the first day of July, 1851, specifying the amount realised in each year, and distinguishing the sums paid for Town, Suburban, and Country Lands.
 - (2.) The total quantity alienated during that period, specifying the number of acres and the average price per acre in Town, Suburban, and Country, in each year.

- (3.) The quantity of Land sold by Public Auction, and the amount of the gross proceeds; also the quantity of Land alienated by private Sale, and the gross proceeds of the same, with amount received under each head in every year.
- (4.) The gross proceeds of the Sale of Waste Lands of the Crown in each County, whether Sold by Public Auction or Private Sale, specifying the total amount realised in each year.
- (5.) The Annual Number of Public Sales of Crown Land, the date of each Proclamation of Sale, the number of acres withdrawn by the Crown, and the quantity for which no offer had been made at Auction.
- (6.) A Return, under the Heads of Town, Suburban, and Country, of the Quantity of Waste Lands Surveyed, but not alienated, and the County where such Lands are situate.
- (7.) A Return showing the quantity of Land applied for under the Pre-emptive Right, 9 and 10 Vic., c. 104, date of application, name of applicant, local description, and number of acres applied for by each applicant.
- (8.) The quantity alienated under the Pre-emptive Right, the Name of the Purchaser, Names of the Valuers, Estimated Value of Improvements (if any), Date of Purchase, and Local Description.

ON AN EARLY DAY.

1. MR. WILKINSON: To move on an early day that an Address be presented to the Lieutenant-Governor, requesting that steps be immediately taken to enquire into the state of the several Government Departments in Portland, with a view to render them more efficient for the Public Service in that town, and in the districts surrounding.

J. F. PALMER,

Speaker.

No. 4.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL,

FRIDAY, 14th November, 1851.

Council met pursuant to adjournment.

1. **DISPUTED ELECTION RETURNS.**—In pursuance of the Victoria Electoral Act of 1851, the Speaker laid on the Council Table a Warrant appointing Charles Hilton Dight, John Henry Mercer, Henry Miller, John O'Shanassy, William Rutledge, William Francis Splatt, and William Westgarth, Esquires, a Committee of Elections and Qualifications, which the Clerk read.
2. **ADDRESS IN REPLY TO THE OPENING SPEECH.**—On the motion of the Colonial Secretary, the Members deputed by this Council proceeded to the Government Offices, there to present to His Excellency the Lieutenant-Governor the Address of this Council in reply to His Excellency's Opening Speech.
3. **GOVERNOR'S ANSWER TO ADDRESS IN REPLY TO OPENING SPEECH.**—The Speaker reported that the Deputation of the Council had been to the Government Offices, and there presented to the Lieutenant-Governor the Address of this Council in reply to His Excellency's Speech on opening the Council, and that His Excellency had been pleased to make the following Answer:—
4. **MR SPEAKER AND GENTLEMEN OF THE LEGISLATIVE COUNCIL.**—I thank you for this Address; and I receive with entire confidence the expression of your loyalty and affection to the Person and Government of our Most Gracious Sovereign; and the assurance of your sincere desire to co-operate with me, in securing for the Colony, a satisfactory and efficient Government, and every advantage consistent with the real interests of the community.

C. J. LA TROBE.

*Government Offices,
Melbourne, 14th November, 1851.*

4. **ROADS AND BRIDGES.**—Dr. Murphy moved, pursuant to notice, that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid upon the table of this House:—
 - (1.) A Return of the amount of all money expended in the making and repairing of the Roads and Bridges of the Colony since the 1st day of January, 1849: such Return to specify the amount expended in each Police District, the nature of the work, and the particular place where the work was executed.
 - (2.) A Return of the amount voted for the purpose.
 Question put and passed;
Address to be presented by the Speaker.
5. **BOUNDARY LINE.**—Dr. Murphy moved, pursuant to notice, that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid upon the table of this House:—
 - (1.) Copies of all Correspondence which has taken place between the authorities of this Colony and those of New South Wales: and also, of all Correspondence between the Governments of both Colonies and the Imperial Government upon the subject of the Settlement of the Boundary Line between Victoria and New South Wales.
 - (2.) Copies of all Reports made by Surveyors of both Colonies upon the same subject.
 Debate ensued;
Motion, by leave, withdrawn.

WEDNESDAY, NOVEMBER 19, 1851.

1. **MR. WESTGARTH :** To move that this Council affirms the following Resolutions, as expressive of its views on the Question of Transportation :—

That, although this Colony has emphatically refused to receive Convicts transported direct from Britain, of any denomination, or under any circumstances whatever: And, although the British Government now abstain from attempting this course, nevertheless this Colony, as being immediately adjacent to Van Diemen's Land, is exposed to an incessant influx of the criminal population of that Island, promoted by the arrangements of the Tasmanian Government; and the recent system of issuing pardons to prisoners newly arrived in Van Diemen's Land, made conditional on these parties quitting the Penal Settlement, can be regarded only as an evasion of the moral rights of this Colony, which, as the most accessible resort of these persons, is thus exposed to all the worst evils attending direct Transportation.

That, in addition to the moral injury resulting to society from these continued accessions to the population, there is entailed upon this Colony an unusual and enormous expence for Police and Gaols, the criminal convictions, in the great majority of cases, being of persons who have been originally transported to Australia under sentence for crime, and the Colonial public having, ever before then, a costly, difficult, and discouraging problem in the question of Prison Discipline, and the management of large numbers of offenders.

That no system, by which criminals are accumulated in any one locality, can be otherwise that subversive of every right principle of society, such portions of the community necessarily standing forth as a foul and contaminating blot upon the social surface. And that this view of the subject is alike suggested and confirmed by the language of the present Secretary of State for the Colonies, when he himself declared, in 1847, with reference to Van Diemen's Land, and with the full intention at that time, on the part of the Home Government, of abolishing Transportation, (an intention that has since been unhappily set aside,) that the effects resulting from this system were a disgrace to the British name.

That the recent discovery of Gold, apparently spread in large quantity over this and the adjacent Colony, now places the Transportation Question in a new and still more alarming light, both as regards the internal tranquillity of this Colony, and also as to the expediency of continuing, as a punishment the transportation of offenders to this auriferous region of the world, a System which, in the opinion of this House, must, in a great degree, operate in the Mother Country as a bounty on the commission of crime.

That as the great material prosperity of these Australian Settlements has been attracting hither large numbers of the population of the Parent State, and of other parts of Europe, and as this extension of Colonial Society must soon be immensely accelerated by the announcement of the discovery of Gold, in connexion with the anticipated early introduction of direct Steam Navigation—therefore, under these interesting and momentous circumstances, indicative of so complete a change in this part of the world, since Britain in the preceding century cast forth her transported criminals upon an unexplored and desolate Sea coast, this House desires to recognise a great principle of mutual necessity and justice; that in the present condition and prospects of this hemisphere, it is an obligation on the part of the Parent State, as it must be also with every other Government and people, not to eject her criminals into these other societies which are already sufficiently charged with their own; that any imitation of her Penal policy, on the part of other European States, would tend to involve in social and moral destruction the whole Southern Hemisphere, and that no accidental circumstance, whether of established usage, or legal right, can either effect the moral bearings of the case, or remedy the disorders that result from such a System.

That an Address be presented to His Excellency the Lieutenant-Governor, requesting His Excellency to forward the foregoing resolutions to the Secretary of State for the Colonies, with a recommendation of their favourable consideration by Her Majesty's Government.

2. **MR. FAWKNER :** To move that this Council do address His Excellency the Lieutenant-Governor, praying that he will be pleased to order and direct that one Common and one or more Parks be reserved around, as far as practicable, each Township or Village that now is, or hereafter may be formed; and that a certain number of the inhabitants of each Village or Township, be selected by the resident inhabitants to apportion the right of Commonage, and generally to guard the local rights of the people.
3. **MR. FAWKNER :** To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that he will be pleased to cause to be laid before this House, a Return of the amount voted to be expended on the Sydney Road between Melbourne and Kilmore, stating the amount actually expended as ordered, and accounting for the remainder.
4. **MR. JOHNSTON :** To move that an address be presented to His Excellency the Lieutenant-Governor, praying that he will cause to be laid on the Table of the House, copies of all correspondence between the Government of this Colony and the Government of Van Diemen's Land, on the subject of the manumission and dispersion through the adjacent Colonies of Convicts sent out under sentence of Transportation to Van Diemen's Land; and also of any remonstrances on this subject which may have been addressed to the Home Government by the Executive.

NOTICES OF MOTION.

TUESDAY, NOVEMBER 18.

1. **DR. MURPHY:** To move that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid upon the table of this House:—
 - (1.) A Return of the Dates of the discovery of the Gold Fields of this Colony, the names of the places where they exist, and the distances at which they are situated from Melbourne.
 - (2.) A Return of the number of Licenses issued to dig Gold, and the amount received in fees for the same.
 - (3.) The quantity and money value of the Gold forwarded by the Government Escorts since the discovery of the Gold Fields to the present time.
 - (4.) The estimated number of Persons residing at and employed on the Gold Fields.
 - (5.) The estimated produce as nearly as it may be ascertained of the Gold Fields to the present time.
 - (6.) The amount and nature of the expenses incurred by the Government on account of Gold digging, not including the increase of pay given to Persons unconnected with this occupation.
 - (7.) The amount of expenses incurred by increase of pay to Persons in the Public Service unemployed in Gold duties, with the particulars thereof.
 - (8.) The number of Persons who have arrived by Sea from neighbouring Countries since the discovery of the Gold Fields, specifying the numbers from each particular Country.
2. **MR. FAWKNER:** (1.) To move that an Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to lay before this House a full Statistical Account of the Pastoral and other occupiers of the Waste Lands of the Crown in this Colony.
 - (2.) A Yearly Return shewing the number and extent of the holders and quantity of land and stock, and the sums paid by each, and whether paid by persons holding stock or occupying for other purposes.
 - (3.) A Yearly Return of all Persons holding Licenses to Cut Wood, Quarry Stone, Burn Lime, and generally of all Persons paying License Fees to enable them to use the products natural to this Province.
 - (4.) A Return as early as practicable of the Quantity of Land held by or returned by each individual as held by or claimed by him or her, together with the amount of Stock then on each Run: and also the amount of Stock each holder estimates to be on his Run will hold: and also the Return of the Crown Lands' Commissioner on this point, if any Return has been made by such Officer.
 - (5.) A Return of the Possible Quantity of Stock this Province could support, if such Return has ever been made by the Crown Lands' Commissioner or either of them: and from the year 1837 a full Return of how much each Stockholder paid yearly as License Money, a Assessment Money, or in any other manner to the local Government for the use of Crown Lands, distinguishing how many Licenses each Person holds, how much Stock each Holder keeps on each Run: and how far short the quantity is of the number stated by the Holder of each License the land would support in the Return made on this subject.
 - (6.) An Account also of the Number, Names, and Costs of the Crown Lands' Commissioners for each year separately, together with the whole Cost of their Departments, whether of Servants, of Police-men, Horses, Provender, Buildings, Arms, Ammunition, Accommodations, Fencing and Cultivating Paddocks, and generally of all and sundry the Cost to the country of this Department, Town, or other Offices, and a copy of the instructions issued to them, to guide them in apportioning the quantity of Land to each License.
3. **MR. FAWKNER:** That an Address be presented to His Excellency the Lieutenant-Governor, praying that he will be pleased to lay before this House a Statistical Return of the whole cost of the Native Police, from its first formation up to the present time, distinguishing each several amount for each year. The cost of officers, the cost or pay of the men, the cost of arms, of ammunition, of provision, of clothing, of buildings, whether erected purposely for this Force, or transferred from other uses, of houses and their food, and of paddocks, either for growing food, or affording native grasses. In fact, every direct and indirect expense this body of Police has caused to be taken from the Public Monies.
4. **MR. FAWKNER:** To move that this Council do Address His Excellency the Lieutenant-Governor, praying him to take such measures, by Bill or otherwise, as will render the Gold, the produce of this Province, a Legal Tender, and embodying a proposition to establish an Assay Office, in which such Gold shall be cast into ingots, and duly stamped as of such fineness as it may prove, and in Bars of an ounce and its multiples, and to fix upon it a value at which it shall be taken in all the public offices of the Colony, and, if need be, declared a Legal Tender—say at Three Pounds Ten Shillings per ounce.
5. **ATTORNEY-GENERAL:** To move for leave to bring in a Bill to Interpret and shorten the Language of Acts of Council.
6. **MR. WESTGARTH:** To move for leave to bring in a Bill to Incorporate the City of Melbourne Gas and Coke Company.

WEDNESDAY, NOVEMBER 19, 1851.

1. **MR WESTGARTH** : To move that this Council affirms the following Resolutions, as expressive of its views on the Question of Transportation :—

That, although this Colony has emphatically refused to receive Convicts transported direct from Britain, of any denomination, or under any circumstances whatever: And, although the British Government now abstain from attempting this course, nevertheless this Colony, as being immediately adjacent to Van Diemen's Land, is exposed to an incessant influx of the criminal population of that Island, promoted by the arrangements of the Tasmanian Government; and the recent system of issuing pardons to prisoners newly arrived in Van Diemen's Land, made conditional on these parties quitting the Penal Settlement, can be regarded only as an evasion of the moral rights of this Colony, which, as the most accessible resort of these persons, is thus exposed to all the worst evils attending direct Transportation.

That, in addition to the moral injury resulting to society from these continued accessions to the population, there is entailed upon this Colony an unusual and enormous expence for Police and Gaols, the criminal convictions, in the great majority of cases, being of persons who have been originally transported to Australia under sentence for crime, and the Colonial public having, ever before then, a costly, difficult, and discouraging problem in the question of Prison Discipline, and the management of large numbers of offenders.

That no system, by which criminals are accumulated in any one locality, can be otherwise than subversive of every right principle of society, such portions of the community necessarily standing forth as a foul and contaminating blot upon the social surface. And that this view of the subject is alike suggested and confirmed by the language of the present Secretary of State for the Colonies, when he himself declared, in 1847, with reference to Van Diemen's Land, and with the full intention at that time, on the part of the Home Government, of abolishing Transportation, (an intention that has since been unhappily set aside,) that the effects resulting from this system were a disgrace to the British name.

That the recent discovery of Gold, apparently spread in large quantity over this and the adjacent Colony, now places the Transportation Question in a new and still more alarming light, both as regards the internal tranquillity of this Colony, and also as to the expediency of continuing, as a punishment the transportation of offenders to this auriferous region of the world, a System which, in the opinion of this House, must, in a great degree, operate in the Mother Country as a bounty on the commission of crime.

That as the great material prosperity of these Australian Settlements has been attracting hither large numbers of the population of the Parent State, and of other parts of Europe, and as this extension of Colonial Society must soon be immensely accelerated by the announcement of the discovery of Gold, in connexion with the anticipated early introduction of direct Steam Navigation—therefore, under these interesting and momentous circumstances, indicative of so complete a change in this part of the world, since Britain in the preceding century cast forth her transported criminals upon an unexplored and desolate Sea coast, this House desires to recognise a great principle of mutual necessity and justice; that in the present condition and prospects of this hemisphere, it is an obligation on the part of the Parent State, as it must be also with every other Government and people, not to eject her criminals into these other societies which are already sufficiently charged with their own; that any imitation of her Penal policy, on the part of other European States, would tend to involve in social and moral destruction the whole Southern Hemisphere, and that no accidental circumstance, whether of established usage, or legal right, can either effect the moral bearings of the case, or remedy the disorders that result from such a System.

That an Address be presented to His Excellency the Lieutenant-Governor, requesting His Excellency to forward the foregoing resolutions to the Secretary of State for the Colonies, with a recommendation of their favourable consideration by Her Majesty's Government.

2. **MR. FAWKNER** : To move that this Council do address His Excellency the Lieutenant-Governor, praying that he will be pleased to order and direct that one Common and one or more Parks be reserved around, as far as practicable, each Township or Village that now is, or hereafter may be formed; and that a certain number of the inhabitants of each Village or Township, be selected by the resident inhabitants to apportion the right of Commonage, and generally to guard the local rights of the people.
3. **MR. FAWKNER** : To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that he will be pleased to cause to be laid before this House, a Return of the amount voted to be expended on the Sydney Road between Melbourne and Kilmore, stating the amount actually expended as ordered, and accounting for the remainder.
4. **MR. JOHNSTON** : To move that an address be presented to His Excellency the Lieutenant-Governor, praying that he will cause to be laid on the Table of the House, copies of all correspondence between the Government of this Colony and the Government of Van Diemen's Land, on the subject of the manumission and dispersion through the adjacent Colonies of Convicts sent out under sentence of Transportation to Van Diemen's Land; and also of any remonstrances on this subject which may have been addressed to the Home Government by the Executive.

THURSDAY, NOVEMBER 20, 1851.

1. MR. FAWKNER : To move to Repeal all Inter-Colonial Acts that levy dues upon Colonial Products.

FRIDAY, NOVEMBER 21.

1. MR. FAWKNER : To move that this House do take into consideration the question of Repealing the Act empowering the Licensed Occupants, and others, of Crown Lands, to impound Stock trespassing thereon, and to charge any amount of dabling money they please, the same being totally unconstitutional, and conferring an invidious pecuniary award to one class of the community to the dire injury of all other persons.
2. SOLICITOR-GENERAL : To move for leave to bring in a Bill to facilitate the Conveyance of Real Property.

TUESDAY, NOVEMBER 25.

1. MR. FAWKNER : To move for the Repeal or Modification of the Law exempting from Auction Dues the Stock and Stations of the Occupants of Crown Lands, the Act being one made to exempt all Colonial Produce, Stock and Stations from paying any Auction Dues ; this being also a class Act conferring undue advantages on one class of this community to the injury of all other classes.
2. MR. O'SHEANASSY : To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House :—
 - (1.) A Return of the Gross Proceeds arising from the Sale of Waste Lands of the Crown, from the Foundation of Port Phillip to its creation into a Separate Colony, on the first day of July, 1851, specifying the amount realised in each year, and distinguishing the sums paid for Town, Suburban, and Country Lands.
 - (2.) The total quantity alienated during that period, specifying the number of acres and the average price per acre in Town, Suburban, and Country, in each year.
 - (3.) The quantity of Land sold by Public Auction, and the amount of the gross proceeds; also the quantity of Land alienated by private Sale, and the gross proceeds of the same, with amount received under each head in every year.
 - (4.) The gross proceeds of the Sale of Waste Lands of the Crown in each County, whether sold by Public Auction or Private Sale, specifying the total amount realised in each year.
 - (5.) The Annual Number of Public Sales of Crown Land, the date of each Proclamation of Sale, the number of acres withdrawn by the Crown, and the quantity for which no offer had been made at Auction.
 - (6.) A Return, under the Heads of Town, Suburban, and Country, of the Quantity of Waste Lands Surveyed, but not alienated, and the County where such Lands are situate.
 - (7.) A Return showing the quantity of Land applied for under the Pre-emptive Right, 9 and 10 Vic., c. 104, date of application, name of applicant, local description, and number of acres applied for by each applicant.
 - (8.) The quantity alienated under the Pre-emptive Right, the Name of the Purchaser, Names of the Valuers, Estimated Value of Improvements (if any), Date of Purchase, and Local Description.

ON AN EARLY DAY.

1. MR. WILKINSON : To move on an early day that an Address be presented to the Lieutenant-Governor, requesting that steps be immediately taken to enquire into the state of the several Government Departments in Portland, with a view to render them more efficient for the Public Service in that town, and in the districts surrounding.

J. F. PALMER,

Speaker.

No. 5.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL,

TUESDAY, 18th November, 1851.

1. Council met pursuant to adjournment.
2. GOLD:—Dr. Murphy moved, pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid upon the table of this House:—
 - (1.) A Return of the Dates of the discovery of the Gold Fields of this Colony, the names of the places where they exist, and the distances at which they are situated from "Melbourne."
 - (2.) A Return of the number of Licenses issued to dig Gold, and the amount received in fees for the "same."
 - (3.) The quantity and money value of the Gold forwarded by the Government Escorts since the discovery of the Gold Fields to the present time.
 - (4.) The estimated number of Persons residing at and employed on the Gold Fields.
 - (5.) The estimated produce as nearly as it may be ascertained of the Gold Fields to the present time.
 - (6.) The amount and nature of the expenses incurred by the Government on account of Gold digging, not including the increase of pay given to Persons unconnected with this "occupation."
 - (7.) The amount of expenses incurred by increase of pay to Persons in the Public Service unemployed in Gold duties, with the particulars "thereof."
 - (8.) The number of Persons who have arrived by Sea from neighbouring Countries since the discovery of the Gold Fields, specifying the numbers from each particular Country.

Mr. Miller moved, That the above Motion be amended by adding at the end of the 1st. Clause, after the word "Melbourne," the words, "And the dates at which these Gold Fields were first occupied, respectively, by parties digging for Gold under the sanction of Government:"

And, by adding to the 2nd. Clause, after the word "same," the words, "shewing the number of Licenses issued in each Month, and the place for which they were issued:"

And, by adding to the 6th. Clause, after the word "occupation," the words, "specifying the several items of such expenditure for each Gold District, and the Revenue derived from the same in Escort charges or other sources:"

By adding to the 7th. Clause, after the word "thereof," the words, "and of all other increased Expenditure in branches of the Public Service not connected with the Gold Fields but caused by their discovery, giving the items in detail:"

And, by adding at the end of Clause No. 8, the following Clauses, that is to say—

"(9.) The number and names of the Commissioners appointed for the Gold Fields, shewing the date of each appointment, their pay and allowances, and where situated respectively."

"(10.) The number of additional Police employed consequent upon the discovery of Gold in this Colony, and the duties performed by them, distinguishing the Foot and Mounted Police."

"(11.) The Regulations and Instructions issued by the Government to the Gold Commissioners and others respecting the Gold Fields and for the conduct of the Gold Escort."

"(12.) Copies of all Despatches addressed by this Government to the Secretary of State for the Colonies on the subject of the Gold Fields of Victoria, particularly as to the establishment of an Assay or refining Office in this Colony."

Debate ensued.

Mr. Dunlop moved as an amendment to the above amendment, viz. :—That Clause 12 be omitted.

Question stated.

Debate ensued.

3. MESSAGE.—The following Messages from His Excellency the Lieutenant-Governor received and read—

C. J. LA TROBE,
LIEUTENANT-GOVERNOR.

(Message, No. 2.)

The Lieutenant-Governor transmits to the Council, Abstracts of the probable Revenue and Expenditure of the Colony of Victoria, for the year 1852: a detailed Estimate of the proposed Expenditure, for the year 1852: and, a Supplementary Estimate for the present year: accompanied by a Financial Minute, which will furnish to the Council such further general information upon these subjects, as may be called for.

*Government Offices,
Melbourne, 18th. November, 1851.*

Ordered to be Printed, with the accompanying Abstracts, Estimates, and Minute.

C. J. LA TROBE,
LIEUTENANT-GOVERNTR.

Message, No. 3.

Agreeably to the Provisions of the 19th Section of the Act of the Imperial Parliament, 13th and 14th Victoria, chap. 59, the Lieutenant-Governor lays before the Legislative Council, a Statement of the Amount intended to be appropriated during the Year 1852, to the several Services and Purposes named in Schedule B, Part 2, to that Act annexed.

*Government Offices,
Melbourne, 18th November, 1851.*

Ordered to be Printed with the accompanying Statement.

C. J. LA TROBE,
LIEUTENANT-GOVERNOR.

Message, No. 4.

The Lieutenant-Governor places before the Legislative Council, a Copy of that portion of the Queen's Instructions, by which it is Her Majesty's Royal Will and Pleasure that he should be guided in assenting to or dissenting from or reserving for the signification of Her Majesty's pleasure, such Bills as the Council may pass.

*Government Offices,
Melbourne, 18th. November, 1851.*

Ordered to be printed together with the accompanying Instructions.

4. GOLD.—The Debate on the question of Mr. Dunlop's Amendment, interrupted by Messages from His Excellency the Lieutenant-Governor—resumed.
Clause 12 of Mr. Miller's Amendment, by leave withdrawn.
Original Motion, as amended by the additions thereto, of Amendments proposed by Mr. Miller, excepting Clause 12, put and carried.—Address to be presented by the Speaker.
5. POSTPONEMENT OF MOTION.—Mr. Fawcner postponed the Motions standing in his name, as 2 and 4 on the Notice Paper for to-day, until the 25th instant.
6. WITHDRAWAL OF NOTICE OF MOTION.—Mr. Fawcner withdrew the Notice of Motion, standing in his name, 3rd on the Notice Paper for to-day.
7. INTERPRETATION OF ACTS' BILL.—The Attorney General having pursuant to notice, moved for and obtained leave to bring in "A Bill, to Interpret and Shorten the Language of Acts of Council." Bill read a first time, ordered to be printed, and read a second time, on Tuesday next.
8. WITHDRAWAL OF NOTICE OF MOTION.—Mr. Westgarth withdrew the Notice of Motion standing in his name on the Notice paper for to-day.
9. SPEAKER'S COMMISSION TO SWEAR.—The Speaker reported that he had been authorised, by Commission, under the hand of His Excellency the Lieutenant-Governor and Seal of the Territory, to administer the Oath or Affirmation, prescribed by the 25th Section of the Constitutional Act, 5 and 6 Victoria, c. 76, to be taken by each Member, before he can sit or vote in the Council.
10. SUSPENSION OF STANDING ORDER.—The Attorney General moved the Suspension of Standing Order, No. 9.
Question put and passed.

NOTICES OF MOTION were then given by the following Members:—

The Attorney-General for leave to bring in a Bill for the better Administration of Justice in Victoria.

Mr. Snodgrass for Appointment of a Select Committee, to Report on state of Victoria Police Force.

Mr. Miller for Appointment of Committee on Roads and Bridges.

Mr. Robinson for Returns respecting Sale of Crown Lands.

Mr. O'Shanassy for Address for Return of Despatches on Immigration.

Mr. O'Shanassy for an Address for Returns relating to Immigration.

Mr. Wilkinson for an Address for Returns as to Sale of Crown Lands near Portland: For an Address for Copies of Correspondence relating to Boundary Line between Victoria and South Australia.

Attorney-General for leave to bring in a Bill to Incorporate a Board of Commissioners and make Provision for a General System of Education.

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

NOTICES OF MOTION.

WEDNESDAY, NOVEMBER 19, 1851.

GOVERNMENT BUSINESS.

1. **THE ATTORNEY GENERAL:** To move to bring in a Bill to make provision for the better Administration of Justice in the Colony of Victoria.
2. **THE ATTORNEY GENERAL:** To move to bring in a Bill to Incorporate a Board of Commissioners, and make provision for a General System of Education.

OTHER BUSINESS.

- 3 **MR. WESTGARTH:** To move that this Council affirms the following Resolutions, as expressive of its views on the Question of Transportation:—

That, although this Colony has emphatically refused to receive Convicts transported direct from Britain, of any denomination, or under any circumstances whatever: And, although the British Government now abstain from attempting this course, nevertheless this Colony, as being immediately adjacent to Van Diemen's Land, is exposed to an incessant influx of the criminal population of that Island, promoted by the arrangements of the Tasmanian Government; and the recent system of issuing pardons to prisoners newly arrived in Van Diemen's Land, made conditional on these parties quitting the Penal Settlement, can be regarded only as an evasion of the moral rights of this Colony, which, as the most accessible resort of these persons, is thus exposed to all the worst evils attending direct Transportation.

That, in addition to the moral injury resulting to society from these continued accessions to the population, there is entailed upon this Colony an unusual and enormous expence for Police and Gaols, the criminal convictions, in the great majority of cases, being of persons who have been originally transported to Australia under sentence for crime, and the Colonial public having, ever before then, a costly, difficult, and discouraging problem in the question of Prison Discipline, and the management of large numbers of offenders.

That no system, by which criminals are accumulated in any one locality, can be otherwise that subversive of every right principle of society, such portions of the community necessarily standing forth as a foul and contaminating blot upon the social surface. And that this view of the subject is alike suggested and confirmed by the language of the present Secretary of State for the Colonies, when he himself declared, in 1847, with reference to Van Diemen's Land, and with the full intention at that time, on the part of the Home Government, of abolishing Transportation, (an intention that has since been unhappily set aside,) that the effects resulting from this system were a disgrace to the British name.

That the recent discovery of Gold, apparently spread in large quantity over this and the adjacent Colony, now places the Transportation Question in a new and still more alarming light, both as regards the internal tranquillity of this Colony, and also as to the expediency of continuing, as a punishment the transportation of offenders to this auriferous region of the world, a System which, in the opinion of this House, must, in a great degree, operate in the Mother Country as a bounty on the commission of crime.

That as the great material prosperity of these Australian Settlements has been attracting hither large numbers of the population of the Parent State, and of other parts of Europe, and as this extension of Colonial Society must soon be immensely accelerated by the announcement of the discovery of Gold, in connexion with the anticipated early introduction of direct Steam Navigation—therefore, under these interesting and momentous circumstances, indicative of so complete a change in this part of the world, since Britain in the preceding century cast forth her transported criminals upon an unexplored and desolate Sea coast, this House desires to recognise a great principle of mutual necessity and justice; that in the present condition and prospects of this hemisphere, it is an obligation on the part of the Parent State, as it must be also with every other Government and people, not to eject her criminals into these other societies which are already sufficiently charged with their own; that any imitation of her Penal policy, on the part of other European States, would tend to involve in social and moral destruction the whole Southern Hemisphere, and that no accidental circumstance, whether of established usage, or legal right, can either effect the moral bearings of the case, or remedy the disorders that result from such a System.

That an Address be presented to His Excellency the Lieutenant-Governor, requesting His Excellency to forward the foregoing resolutions to the Secretary of State for the Colonies, with a recommendation of their favourable consideration by Her Majesty's Government.

4. **MR. FAWKNER:** To move that this Council do address His Excellency the Lieutenant-Governor, praying that he will be pleased to order and direct that one Common and one or more Parks be reserved around, as far as practicable, each Township or Village that now is, or hereafter may be formed; and that a certain number of the inhabitants of each Village or Township, be selected by the resident inhabitants to apportion the right of Commonage, and generally to guard the local rights of the people.
5. **MR. FAWKNER:** To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that he will be pleased to cause to be laid before this House, a Return of the amount voted to be expended on the Sydney Road between Melbourne and Kilmore, stating the amount actually expended as ordered, and accounting for the remainder.

6. **MR. JOHNSTON** : To move that an address be presented to His Excellency the Lieutenant-Governor, praying that he will cause to be laid on the Table of the House, copies of all correspondence between the Government of this Colony and the Government of Van Diemen's Land, on the subject of the manumission and dispersion through the adjacent Colonies of Convicts sent out under sentence of Transportation to Van Diemen's Land ; and also of any remonstrances on this subject which may have been addressed to the Home Government by the Executive.

THURSDAY, NOVEMBER 20, 1851.

1. **MR. FAWKNER** : To move to Repeal all Inter-Colonial Acts that levy dues upon Colonial Products.
2. **MR. SNODGRASS** : To move that a Select Committee of this House be formed, to consist of five members together with the proposer, to take into consideration and report upon the state of the Victoria Police Force in connection with the nature of its organization, its numerical strength, its sufficiency or otherwise for police purposes, and from what funds the maintenance of such Police Force has hitherto been defrayed ; and further that such Select Committee be required to report upon such improvements in the general regulation of Police throughout the colony as may appear to them to be requisite for the maintenance and controul of such a Police Force as the circumstances of the colony may appear to such Select Committee to require.
- That the following Members of this Council do form the said Select Committee, viz., The Auditor-General, Mr. Fawkner, Mr. Haines, Mr. Johnston, Mr. Strachan, and the proposer of this motion.

FRIDAY, NOVEMBER 21.

1. **MR. FAWKNER** : To move that this House do take into consideration the question of Repealing the Act empowering the Licensed Occupants, and others, of Crown Lands, to impound Stock trespassing thereon, and to charge any amount of driving money they please, the same being totally unconstitutional, and conferring an invidious pecuniary award to one class of the community to the dire injury of all other persons.
2. **SOLICITOR-GENERAL** : To move for leave to bring in a Bill to facilitate the Conveyance of Real Property.
3. **MR. O'SHANASSY** : To move that an Address be presented to His Excellency the Lieutenant-Governor praying that His Excellency will be pleased to cause to be laid on the Table of this House :
(1.) Copies of any Despatches which His Excellency may have transmitted to the Imperial Government, since the erection of Port Phillip into a separate Colony, on the vital subject of Immigration.
4. **MR. WILKINSON** : To move that an Address be presented to His Excellency the Lieutenant-Governor requesting that a return be made to the House of the number and date of all applications made to the Surveyor in charge at Melbourne, and the Surveyor-General of Victoria, during the five years ending the 31st of October last, for the purchase of Crown Lands situated within forty miles of Portland, exclusively of lands within the Town Boundary, distinguishing such applications as have been complied with from those which remain unsatisfied.

TUESDAY, NOVEMBER 25.

1. **MR. FAWKNER** : To move for the Repeal or Modification of the Law exempting from Auction Dues the Stock and Stations of the Occupants of Crown Lands, the Act being one made to exempt all Colonial Produce, Stock and Stations from paying any Auction Dues ; this being also a class Act conferring undue advantages on one class of this community to the injury of all other classes.
2. **MR. O'SHANASSY** : To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House :—
(1.) A Return of the Gross Proceeds arising from the Sale of Waste Lands of the Crown, from the foundation of Port Phillip to its erection into a Separate Colony, on the first day of July, 1851, specifying the amount realised in each year, and distinguishing the sums paid for Town, Suburban, and Country Lands.
(2.) The total quantity alienated during that period, specifying the number of acres and the average price per acre in Town, Suburban, and Country, in each year.
(3.) The quantity of Land sold by Public Auction, and the amount of the gross proceeds ; also the quantity of Land alienated by private Sale, and the gross proceeds of the same, with amount received under each head in every year.
(4.) The gross proceeds of the Sale of Waste Lands of the Crown in each County, whether Sold by Public Auction or Private Sale, specifying the total amount realised in each year.

- (5.) The Annual Number of Public Sales of Crown Land, the date of each Proclamation of Sale, the number of acres withdrawn by the Crown, and the quantity for which no offer had been made at Auction.
- (6.) A Return, under the Heads of Town, Suburban, and Country, of the Quantity of Waste Lands Surveyed, but not alienated, and the County where such Lands are situate.
- (7.) A Return showing the quantity of Land applied for under the Pre-emptive Right, 9 and 10 Vic., c. 104, date of application, name of applicant, local description, and number of acres applied for by each applicant.
- (8.) The quantity alienated under the Pre-emptive Right, the Name of the Purchaser, Names of the Valuers, Estimated Value of Improvements (if any), Date of Purchase, and Local Description.
3. MR. FAWKNER: (1.) To move that an Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to lay before this House a full Statistical Account of the Pastoral and other occupiers of the Waste Lands of the Crown in this Colony.
- (2.) A Yearly Return shewing the number and extent of the holders and quantity of land and stock, and the sums paid by each, and whether paid by persons holding stock or occupying for other purposes.
- (3.) A Yearly Return of all Persons holding Licenses to Cut Wood, Quarry Stone, Burn Lime, and generally of all Persons paying License Fees to enable them to use the products natural to this Province.
- (4.) A Return as early as practicable of the Quantity of Land held by or returned by each individual as held by or claimed by him or her, together with the amount of Stock then on each Run: and also the amount of Stock each holder estimates his or her Run will hold: and also the Return of the Crown Lands' Commissioner on this point, if any Return has been made by such Official.
- (5.) A Return of the Probable Quantity of Stock this Province could agist, if such Return has ever been made by the Crown Lands' Commissioners or either of them: and from the year 1847 a full Return of how much each Stockholder paid yearly as License Money, as Assessment Money, or in any other manner to the Local Government for the use of Crown Lands, distinguishing how many Licenses each Person holds, how much Stock each Holder keeps on each Run: and how far short this Return is of the number stated by the Holder of each License the Land would agist in the Return made on this subject.
- (6.) An Account also of the Number, Names, and Costs of the Crown Lands' Commissioners for each year separately, together with the whole Cost of their Departments, whether of Servants, of Policemen, Horses, Provender, Buildings, Arms, Ammunition, Accoutrements, Fencing and Cultivating Paddocks, and generally of all and sundry the Cost to the country of this Department, Town, or other Offices, and a copy of the instructions issued to them, to guide them in apportioning the quantity of Land to each License.
4. MR. FAWKNER: To move that this Council do Address His Excellency the Lieutenant-Governor, praying him to take such measures, by Bill or otherwise, as will render the Gold, the produce of this Province, a Legal Tender, and embodying a proposition to establish an Assay Office, in which such Gold shall be cast into ingots, and duly stamped as of such fineness as it may prove, and in Bars of an ounce and its multiples, and to fix upon it a value at which it shall be taken in all the public offices of the Colony, and, if need be, declared a Legal Tender—say at Three Pounds Ten Shillings per ounce.
5. MR. MILLER: To move for a Select Committee on Roads and Bridges to enquire and report on their present state, and how the funds placed at the disposal of Government may be expended to the best advantage in making and repairing Roads and Bridges throughout the Colony, and that such Committee consist of the following gentlemen:—Mr. Dight, Mr. Haines, Mr. Smith, Mr. Westgarth, and the proposer.
6. MR. O'SHANASSY: To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House:—
- (1.) A Return of the whole Cost of Immigration to this colony from the United Kingdom up to the 1st. day of July, 1851, showing the Annual Expenditure, number of Vessels employed, and number of Immigrants brought to the Colony in each ship.
- (2.) A Return, showing the Number, Age, Sex, Religion, and Country, of the Immigrants; the Contract Price paid for each Statute Adult; the Sum received for assisted Passages, and the Amount Expended out of the Colonial Land Fund in each year ending on the 1st. July, 1851.
- (3.) Copies of the various Regulations issued by the Colonial Land and Emigration Commissioners for information on the subject of Emigration to this Colony.
- (4.) A Return of the Annual Amount paid to the Commissioners of Her Majesty's Treasury, in the United Kingdom, for the purchase of Land in the Colony.
- (5.) The Cost of the Immigration Department Annually, number of Persons employed, and nature of their employment; also, the Amount charged, or chargeable to this Colony by the Colonial Land and Emigration Commissioners in defraying the cost of their Department in the United Kingdom,
- (6.) A Return showing the Annual Expense of Survey Management and Sale of Crown Lands, specifying the cost of the Survey Department, the number of Persons employed, and the nature of their occupations.

(7.) A Return showing the Appropriation (if any) of the Proceeds of the Sale of Crown Lands, under directions from the Commissioners of Her Majesty's Treasury, appointed by the 5 and 6 Vic. chap. 36.

6. MR. WILKINSON: To move that an Address be presented to the Lieutenant-Governor, requesting His Excellency to place upon the Table of the House, Copies of all Correspondence which may have passed between the respective Governments of New South Wales and South Australia, having relation to the Boundary Line separating the two Colonies of Victoria and South Australia.

ORDER OF DAY:—

1. Interpretation of Acts Bill—Second reading.

FRIDAY, NOVEMBER 28.

1. MR. ROBINSON: To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—

(1.) A Return of all Crown Lands that have been applied for to be put up for Public Sale, from the Foundation of Port Phillip till the last Government Land Sale, distinguishing the quantity sold and the sums it sold for, the quantity reserved, and the reasons (if any) for such reservation.

(2.) A Return showing the Amount of Deposits made for the Purchase of Land, from the Foundation of Port Phillip till the last Government Land Sale, distinguishing the sums deposited, under the Regulations of 22nd December, 1848, for the selection of Emigrants.

ON AN EARLY DAY.

1. MR. WILKINSON: To move on an early day that an Address be presented to the Lieutenant-Governor, requesting that steps be immediately taken to enquire into the state of the several Government Departments in Portland, with a view to render them more efficient for the Public Service in that town, and in the districts surrounding.

J. F. PALMER,

Speaker.

No. 6.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL,

WEDNESDAY, 19th November, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. AUSTRALASIAN LEAGUE.—Mr. Westgarth presented a Petition from certain Persons styling themselves “The Council of the Victoria Branch of the Australasian League,” praying that steps may be taken for remonstrating against the procedure of Governor Sir William Denison in the matter referred to in the Petition, and that a Law may be passed denuding of all validity in the Colony of Victoria any protection granted to Convicts in Van Diemen’s Land, short of freedom by servitude, or an absolute pardon under the hand of Her Most Gracious Majesty Queen Victoria.
Petition received.
3. The Colonial Secretary laid upon the Table, by command of His Excellency the Lieutenant-Governor: A Report of the proceedings of the Denominational School Board in the Supervision of the National Schools of this Colony.
Ordered to be Printed.
4. The Colonial Secretary laid upon the Table by command of His Excellency the Lieutenant Governor, “A Report from the Denominational School Board of their Proceedings during the past Year:” also, the first half yearly Report of the Inspector of Schools under the Denominational Board: together with several Appendices referred to in such several Reports.
Reports ordered to be printed.
5. FINANCIAL MESSAGE.—On the motion of the Auditor-General, it was ordered that the Financial Message of His Excellency the Lieutenant-Governor, No. 2, together with the Estimates of the Ways and Means, and probable Expenditure of the Colonial Government of Victoria, for the year 1852, and Supplementary Estimate for the year 1851, be taken into consideration to-morrow.
6. ADMINISTRATION OF JUSTICE BILL.—The Attorney-General having, pursuant to notice, moved for, and obtained leave to bring in a Bill to make Provision for the better Administration of Justice in the Colony of Victoria.
Bill read a first time, ordered to be printed, and read a second time this day fortnight.
7. EDUCATION COMMISSION.—The Attorney-General, pursuant to notice, moved for, and obtained leave to bring in a Bill to incorporate a Board of Commissioners, and make provision for a General System of Education.
8. Mr Westgarth moved, pursuant to notice, that this Council do resolve—
That, although this Colony has emphatically refused to receive Convicts transported direct from Britain, of any denomination, or under any circumstances whatever: And, although the British Government now abstain from attempting this course, nevertheless this Colony, as being immediately adjacent to Van Diemen’s Land, is exposed to an incessant influx of the criminal population of that Island, promoted by the arrangements of the Tasmanian Government; and the recent system of issuing pardons to prisoners newly arrived in Van Diemen’s Land, made conditional on these parties quitting the Penal Settlement, can be regarded only as an evasion of the moral rights of this Colony, which, as the most accessible resort of these persons, is thus exposed to all the worst evils attending direct Transportation.
That, in addition to the moral injury resulting to society from these continued accessions to the population, there is entailed upon this Colony an unusual and enormous expence for Police and Gaols, the criminal convictions, in the great majority of cases, being of persons who have been originally transported to Australia under sentence for crime, and the Colonial public having, ever before them, a costly, difficult, and discouraging problem in the question of Prison Discipline, and the management of large numbers of offenders.

That no system, by which criminals are accumulated in any one locality, can be otherwise than subversive of every right principle of society, such portions of the community necessarily standing forth as a foul and contaminating blot upon the social surface. And that this view of the subject is alike suggested and confirmed by the language of the present Secretary of State for the Colonies, when he himself declared, in 1847, with reference to Van Diemen's Land, and with the full intention at that time, on the part of the Home Government, of abolishing Transportation, (an intention that has since been unhappily set aside,) that the effects resulting from this system were a disgrace to the British name.

That the recent discovery of Gold, apparently spread in large quantity over this and the adjacent Colony, now places the Transportation Question in a new and still more alarming light, both as regards the internal tranquillity of this Colony, and also as to the expediency of continuing, as a punishment the transportation of offenders to this auriferous region of the world, a System which, in the opinion of this Council, must, in a great degree, operate in the Mother Country as a bounty on the commission of crime.

That as the great material prosperity of these Australian Settlements has been attracting hither large numbers of the population of the Parent State, and of other parts of Europe, and as this extension of Colonial Society must soon be immensely accelerated by the announcement of the discovery of Gold, in connexion with the anticipated early introduction of direct Steam Navigation—therefore, under these interesting and momentous circumstances, indicative of so complete a change in this part of the world, since Britain in the preceding century cast forth her transported criminals upon an unexplored and desolate Sea coast, this Council desires to recognise a great principle of mutual necessity and justice; that in the present condition and prospects of this hemisphere, it is an obligation on the part of the Parent State, as it must be also with every other Government and people, not to eject her criminals into these other societies which are already sufficiently charged with their own; that any imitation of her Penal policy, on the part of other European States, would tend to involve in social and moral destruction the whole Southern Hemisphere, and that no accidental circumstance, whether of established usage, or legal right, can either effect the moral bearings of the case, or remedy the disorders that result from such a System.

That an Address be presented to His Excellency the Lieutenant-Governor, requesting His Excellency to forward the foregoing resolutions to the Secretary of State for the Colonies, with a recommendation of their favourable consideration by Her Majesty's Government.

Question put and passed unanimously.

Address to be presented by the Speaker.

9. COMMONS.—Mr. Fawkner having obtained leave of this Council, divided his Motion for to-day, No. 4, into 2 parts, and moved that this Council do now proceed to the consideration of the following portion of such Motion, viz :—That this Council do address His Excellency the Lieutenant-Governor, praying that he will be pleased to order and direct that one Common and one or more Parks be reserved around, as far as practicable, each Township or "Village" that now is.

Question put;

Debate ensued.

Mr. Johnston moved that the question be amended, by omitting all the words following the word "Village," with the view to the insertion in their place of the following words, "for the use of the Inhabitants of such Township or Village."

Debate ensued.

Mr. Dunlop moved that the consideration of this question be postponed until this day six months.

Original Motion by leave withdrawn.

10. SYDNEY ROAD.—Mr. Fawkner, pursuant to notice, moved, That an Address be presented to His Excellency the Lieutenant-Governor, praying that he will be pleased to cause to be laid before this House: a Return of the amount voted to be expended on the Sydney Road between Melbourne and Kilmore, stating the amount actually expended as ordered, and accounting for the remainder.

Question put and carried.

11. CONVICTS.—Mr. Johnston, pursuant to notice, moved, That an Address be presented to His Excellency the Lieutenant-Governor, praying that he will cause to be laid on the Table of this House: Copies of all correspondence between the Government of this Colony and the Government of Van Diemen's Land, on the subject of the manumission and dispersion through the adjacent Colonies of Convicts sent out under sentence of Transportation to Van Diemen's Land; and also of any remonstrances on this subject which may have been addressed to the Home Government by the Executive.

Question put and Carried.

Council adjourned at a quarter to Seven o'Clock, until to-morrow at Three o'Clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, NOVEMBER 20, 1851.

Government Business.

NOTICES OF MOTION :—

1. THE SOLICITOR GENERAL : To move for leave to bring in a Bill to regulate for a limited time the Exportation of Gunpowder and Munitions of War from the Colony of Victoria.
2. THE SOLICITOR GENERAL : To move for leave to bring in a Bill to suspend for one year so much of the Acts to Incorporate the inhabitants of the City of Melbourne and the Town of Geelong respectively, as relates to the estimating and levying a rate for the Police of the same.

ORDER OF THE DAY :—

The consideration of the Financial Message of His Excellency the Lieutenant-Governor, No. 2, together with the Estimates of the Ways and Means, and Probable Expenditure of the Colonial Government of Victoria for the year 1852, and Supplementary Estimate for the year 1851.

Other Business.

NOTICES OF MOTION :—

1. MR. FAWKNER : To move to Repeal all Inter-Colonial Acts that levy dues upon Colonial Products.
2. MR. SNODGRASS : To move that a Select Committee of this House be formed, to consist of five members together with the proposer, to take into consideration and report upon the state of the Victoria Police Force in connection with the nature of its organization, its numerical strength, its sufficiency or otherwise for police purposes, and from what funds the maintenance of such Police Force has hitherto been defrayed ; and further that such Select Committee be required to report upon such improvements in the general regulation of Police throughout the colony as may appear to them to be requisite for the maintenance and controul of such a Police Force as the circumstances of the colony may appear to such Select Committee to require.
That the following Members of this Council do form the said Select Committee, viz., The Auditor-General, Mr. Fawkner, Mr. Haines, Mr. Johnston, Mr. Strachan, and the proposer of this motion.
3. MR. JOHNSTON : To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that he will be pleased to cause to be laid upon the Table of this House, a Return showing the Name, Office, fixed Salary, other allowances of every description in connection with said office, the total length of Service, and nature of duties performed by all Officers permanently employed under the Government at the present time, and paid from either the General or Crown Revenues. The fixed Salary to show the annual rate, and the other allowances ; the amount received during the twelve months preceding this date. The several Departments in the Return to be kept separate.
4. MR. WESTGARTH : To move that the Petition of the Council of the Australasian Anti-Transportation League (Victoria branch) be printed.

FRIDAY, NOVEMBER 21.

NOTICES OF MOTION :—

1. MR. FAWKNER : To move that this House do take into consideration the question of Repealing the Act empowering the Licensed Occupants, and others, of Crown Lands, to impound Stock trespassing thereon, and to charge any amount of driving money they please, the same being totally unconstitutional, and conferring an invidious pecuniary award to one class of the community to the dire injury of all other persons.
2. SOLICITOR-GENERAL : To move for leave to bring in a Bill to facilitate the Conveyance of Real Property.
3. MR. O'SHANASSY : To move that an Address be presented to His Excellency the Lieutenant-Governor praying that His Excellency will be pleased to cause to be laid on the Table of this House :
(1.) Copies of any Despatches which His Excellency may have transmitted to the Imperial Government, since the erection of Port Phillip into a separate Colony, on the vital subject of Immigration.
4. MR. WILKINSON : To move that an Address be presented to His Excellency the Lieutenant-Governor requesting that a return be made to the House of the number and date of all applications made to the Surveyor in charge at Melbourne, and the Surveyor-General of Victoria, during the five years ending the 31st of October last, for the purchase of Crown Lands situated within forty miles of Portland, exclusively of lands within the Town Boundary, distinguishing such applications as have been complied with from those which remain unsatisfied.

5. **MR SPLATT:** To move that this Council affirms the following Resolutions as expressive of its views on Steam Communication with Great Britain :—
- (1.) That the early establishment of monthly communication by Steam Ships between Great Britain and the Australian Colonies, is imperatively called for, and eminently calculated to promote both Imperial and Australian interests.
 - (2.) That since the discovery and successful working of rich and extensive Gold Mines, in the Colonies of New South Wales and Victoria, and in anticipation of numerous passengers, the route by the Cape of Good Hope—always, in the opinion of this House, by far the most advantageous for the Australian Colonies generally—has at length become pre-eminently so, inasmuch as the great requirements are economy and expedition in the transit of passengers, and a speedy and safe conveyance for the rapidly increasing produce of the Australian Gold Fields, which great advantages are unattainable by other routes.
 - (3.) That while this House rejoices to find its opinion so strictly in unison with the able Report recently recommended for adoption to Her Majesty's Government by a Select Committee of the Honourable the House of Commons, it deploras and deprecates any unnecessary delay in the establishment of a line of Steam Ships so generally approved as subversive alike of the great interests of the Mother Country and those of her important Colonies in this Hemisphere.
 - (4.) That in the opinion of this House the great traffic of the line and the bonus attainable from the British Government for carrying the mails, are inducements sufficiently strong to render unnecessary any aid from the funds of this Government.
 - (5.) That an Address be presented to His Excellency the Lieutenant-Governor, requesting His Excellency to forward the foregoing Resolutions to the Secretary of State for the Colonies with a recommendation of their favourable consideration by Her Majesty's Government.
6. **THE SOLICITOR-GENERAL:**—To move for leave to bring in a Bill to alter an Act intituled "An Act further to amend an Act intituled an Act for the better preservation of the Ports, Harbours, Havens, Roadsteads, Channels, Navigable Creeks and Rivers in New South Wales, and the better regulation of Shipping in the same:" and to provide for the rate of Pilotage in the several Harbours in the Colony of Victoria.
7. **MR. WILKINSON:** To move that an Address be presented to the Lieutenant-Governor, requesting that steps be immediately taken to enquire into the state of the several Government Departments in Portland, with a view to render them more efficient for the Public Service in that town, and in the districts surrounding.

TUESDAY, NOVEMBER 25.

NOTICES OF MOTION :—

1. **MR. FAWKNER:** To move for the Repeal or Modification of the Law exempting from Auction Dues the Stock and Stations of the Occupants of Crown Lands, the Act being one made to exempt all Colonial Produce, Stock and Stations from paying any Auction Dues; this being also a class Act conferring undue advantages on one class of this community to the injury of all other classes.
2. **MR. O'SHANASSY:** To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House :—
 - (1.) A Return of the Gross Proceeds arising from the Sale of Waste Lands of the Crown, from the foundation of Port Phillip to its erection into a Separate Colony, on the first day of July, 1851, specifying the amount realised in each year, and distinguishing the sums paid for Town, Suburban, and Country Lands.
 - (2.) The total quantity alienated during that period, specifying the number of acres and the average price per acre in Town, Suburban, and Country, in each year.
 - (3.) The quantity of Land sold by Public Auction, and the amount of the gross proceeds; also the quantity of Land alienated by private Sale, and the gross proceeds of the same, with amount received under each head in every year.
 - (4.) The gross proceeds of the Sale of Waste Lands of the Crown in each County, whether Sold by Public Auction or Private Sale, specifying the total amount realised in each year.
 - (5.) The Annual Number of Public Sales of Crown Land, the date of each Proclamation of Sale, the number of acres withdrawn by the Crown, and the quantity for which no offer had been made at Auction.
 - (6.) A Return, under the Heads of Town, Suburban, and Country, of the Quantity of Waste Lands Surveyed, but not alienated, and the County where such Lands are situate.
 - (7.) A Return showing the quantity of Land applied for under the Pre-emptive Right, 9 and 10 Vic., c. 104, date of application, name of applicant, local description, and number of acres applied for by each applicant.
 - (8.) The quantity alienated under the Pre-emptive Right, the Name of the Purchaser, Names of the Valuers, Estimated Value of Improvements (if any), Date of Purchase, and Local Description.
3. **MR. FAWKNER:** (1.) To move that an Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to lay before this House a full Statistical Account of the Pastoral and other occupiers of the Waste Lands of the Crown in this Colony.

- (2.) A Yearly Return shewing the number and extent of the holders and quantity of land and stock, and the sums paid by each, and whether paid by persons holding stock or occupying for other purposes.
- (3.) A Yearly Return of all Persons holding Licenses to Cut Wood, Quarry Stone, Burn Lime, and generally of all Persons paying License Fees to enable them to use the products natural to this Province.
- (4.) A Return as early as practicable of the Quantity of Land held by or returned by each individual as held by or claimed by him or her, together with the amount of Stock then on each Run: and also the amount of Stock each holder estimates his or her Run will hold: and also the Return of the Crown Lands' Commissioner on this point, if any Return has been made by such Official.
- (5.) A Return of the Probable Quantity of Stock this Province could agist, if such Return has ever been made by the Crown Lands' Commissioners or either of them: and from the year 1847 a full Return of how much each Stockholder paid yearly as License Money, as Assessment Money, or in any other manner to the Local Government for the use of Crown Lands, distinguishing how many Licenses each Person holds, how much Stock each Holder keeps on each Run: and how far short this Return is of the number stated by the Holder of each License the Land would agist in the Return made on this subject.
- (6.) An Account also of the Number, Names, and Costs of the Crown Lands' Commissioners for each year separately, together with the whole Cost of their Departments, whether of Servants, of Policemen, Horses, Provender, Buildings, Arms, Ammunition, Accoutrements, Fencing and Cultivating Paddocks, and generally of all and sundry the Cost to the country of this Department, Town, or other Offices, and a copy of the instructions issued to them, to guide them in apportioning the quantity of Land to each License.
4. MR. FAWKNER: To move that this Council do Address His Excellency the Lieutenant-Governor, praying him to take such measures, by Bill or otherwise, as will render the Gold, the produce of this Province, a Legal Tender, and embodying a proposition to establish an Assay Office, in which such Gold shall be cast into ingots, and duly stamped as of such fineness as it may prove, and in Bars of an ounce and its multiples, and to fix upon it a value at which it shall be taken in all the public offices of the Colony, and, if need be, declared a Legal Tender—say at Three Pounds Ten Shillings per ounce.
5. MR. MILLER: To move for a Select Committee on Roads and Bridges to enquire and report on their present state, and how the funds placed at the disposal of Government may be expended to the best advantage in making and repairing Roads and Bridges throughout the Colony, and that such Committee consist of the following gentlemen:—Mr. Dight, Mr. Haines, Mr. Smith, Mr. Westgarth, and the proposer.
6. MR. O'SHANASSY: To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House:—
- (1.) A Return of the whole Cost of Immigration to this colony from the United Kingdom up to the 1st. day of July, 1851, showing the Annual Expenditure, number of Vessels employed, and number of Immigrants brought to the Colony in each ship.
- (2.) A Return, showing the Number, Age, Sex, Religion, and Country, of the Immigrants; the Contract Price paid for each Statute Adult; the Sum received for assisted Passages, and the Amount Expended out of the Colonial Land Fund in each year ending on the 1st. July, 1851.
- (3.) Copies of the various Regulations issued by the Colonial Land and Emigration Commissioners for information on the subject of Immigration to this Colony.
- (4.) A Return of the Annual Amount paid to the Commissioners of Her Majesty's Treasury, in the United Kingdom, for the purchase of Land in the Colony.
- (5.) The Cost of the Immigration Department Annually, number of Persons employed, and nature of their employment; also, the Amount charged, or chargeable to this Colony by the Colonial Land and Emigration Commissioners in defraying the cost of their Department in the United Kingdom,
- (6.) A Return showing the Annual Expense of Survey Management and Sale of Crown Lands, specifying the cost of the Survey Department, the number of Persons employed, and the nature of their occupations.
- (7.) A Return showing the Appropriation (if any) of the Proceeds of the Sale of Crown Lands, under directions from the Commissioners of Her Majesty's Treasury, appointed by the 5 and 6 Vic. chap. 36.
7. MR. WILKINSON: To move that an Address be presented to the Lieutenant-Governor, requesting His Excellency to place upon the Table of the House, Copies of all Correspondence which may have passed between the respective Governments of New South Wales and South Australia, having relation to the Boundary Line separating the two of Colonies of Victoria and South Australia.

ORDER OF DAY:—

1. Interpretation of Acts Bill—Second reading.

FRIDAY, NOVEMBER 28.

NOTICES OF MOTION :—

1. MR. ROBINSON: To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
 - (1.) A Return of all Crown Lands that have been applied for to be put up for Public Sale, from the Foundation of Port Phillip till the last Government Land Sale, distinguishing the quantity sold and the sums it sold for, the quantity reserved, and the reasons (if any) for such reservation.
 - (2.) A Return showing the Amount of Deposits made for the Purchase of Land, from the Foundation of Port Phillip till the last Government Land Sale, distinguishing the sums deposited, under the Regulations of 22nd December, 1848, for the selection of Emigrants.

WEDNESDAY, DECEMBER 3.

ORDER OF THE DAY :—

1. Administration of Justice Bill—Second reading.

J. F. PALMER,

Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

THURSDAY, 20th November, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. GUNPOWDER BILL.—The Solicitor-General moved, pursuant to notice, that he have leave to bring in A Bill to regulate the Exportation of Gunpowder and Munitions of War.
Question put and passed.
Ordered that the mover and seconder prepare and bring in the Bill.
3. MELBOURNE AND GEELONG POLICE RATE SUSPENSION BILL.—The Solicitor-General moved, pursuant to notice, that he have leave to bring in A Bill to suspend the Acts of Incorporation of the Inhabitants of the City of Melbourne and the Town of Geelong, relating to the Rate for the Police of the same.
Question put and passed.
Ordered that the mover and seconder prepare and bring in the Bill.
4. GUNPOWDER BILL.—The Solicitor-General having presented the Bill intitled "A Bill to regulate for a limited time the Exportation of Gunpowder and Munitions of War from the Colony of Victoria."
Read a first time; ordered to be printed and read a second time on Friday the 5th. day of December next.
5. MELBOURNE AND GEELONG POLICE RATE SUSPENSION BILL. — The Solicitor-General presented the Bill, intitled "A Bill to suspend for one year so much of the Acts to Incorporate the inhabitants of the City of Melbourne and the Town of Geelong respectively, as relates to the estimating and levying a rate for the Police of the same."
Read a first time; ordered to be printed and read a second time on Friday the 5th. day of December next.
6. FINANCE, 1851—1852.—The Auditor-General moved, pursuant to the order of the day, that the Financial Message, No 2, received from His Excellency the Lieutenant-Governor, together with the Estimates of the Ways and Means, and probable Expenditure of the Colonial Government of Victoria, for the year 1852, and Supplementary Estimate for the year 1851, "be" taken into consideration.
Mr. Russell moved, as an amendment, that all the words following the word "be," be omitted, with the view to the insertion in their place of the words following "postponed until Wednesday next, 26th instant."
Debate ensued.
Upon which, Dr. Murphy moved, as a further amendment, that after the word "instant," the following words be added, viz. :—"That the House do set *de die in diem*, until the question of Estimates involved in such Minute be disposed of."
Debate continued.
Question put that the words proposed to be omitted stand part of the question. Put and negatived.
Question put that the words proposed to be inserted in the place of the words omitted, be so inserted; put and passed.
Question put that the words proposed to be added by Dr. Murphy, be added; put and negatived.
7. WITHDRAWALS OF NOTICE OF MOTION :—
Mr. Fawkner, by leave of the Council, withdrew the Notice of Motion standing in his name, 1, on the Notice Paper of to-day.
Mr. Snodgrass, by leave of the Council, withdrew the Notice of Motion standing in his name, 2, on the Notice Paper of to-day.
Mr. Johnston, by leave of the Council, withdrew the Notice of Motion standing in his name, 3, on the Notice Paper of to-day.
8. AUSTRALASIAN LEAGUE PETITION.—Mr. Westgarth moved pursuant to notice, that the Petition presented yesterday by him to this House be read and printed.
Question put and passed.
Petition read by the Clerk, and ordered to be printed.
9. SUSPENSION OF STANDING ORDERS.—Mr. Fawkner moved the Suspension of Standing Order, No. 10.
Question put and passed.
10. COMMONS.—CONVICTS.—Mr. Fawkner moved that the two several Addresses ordered yesterday to be presented to His Excellency the Lieutenant-Governor, be presented by the Speaker.
Question put and passed.

11. COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The Speaker in pursuance of the power vested in him by the 58th. sec. of "The Victoria Electoral Act of 1851," appointed that the Committee of Elections and Qualifications meet in Committee Room, No. 1, at Eleven o'Clock on Tuesday next, the 25th. instant.
 12. GEELONG ELECTION PETITION.—The Clerk having by the direction of the Speaker read the Petition against the Return of Robert Robinson, Esq. :
The Attorney-General moved that such Petition be referred to the "Committee of Elections and Qualifications."
Question put and passed.
- Council adjourned at twenty minutes past Four o'Clock until to-morrow at Three o'Clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, NOVEMBER 21.

NOTICES OF MOTION :—

1. MR. FAWKNER : To move that this House do take into consideration the question of Repealing the Act empowering the Licensed Occupants, and others, of Crown Lands, to impound Stock trespassing thereon, and to charge any amount of driving money they please, the same being totally unconstitutional, and conferring an invidious pecuniary award to one class of the community to the dire injury of all other persons.
2. SOLICITOR-GENERAL : To move for leave to bring in a Bill to facilitate the Conveyance of Real Property.
3. MR. O'SHANASSY : To move that an Address be presented to His Excellency the Lieutenant-Governor praying that His Excellency will be pleased to cause to be laid on the Table of this House :
(1.) Copies of any Despatches which His Excellency may have transmitted to the Imperial Government, since the erection of Port Phillip into a separate Colony, on the vital subject of Immigration.
4. MR. WILKINSON : To move that an Address be presented to His Excellency the Lieutenant-Governor requesting that a return be made to the House of the number and date of all applications made to the Surveyor in charge at Melbourne, and the Surveyor-General of Victoria, during the five years ending the 31st of October last, for the purchase of Crown Lands situated within forty miles of Portland, exclusively of lands within the Town Boundary, distinguishing such applications as have been complied with from those which remain unsatisfied.
5. MR SPLATT : To move that this Council affirms the following Resolutions as expressive of its views on Steam Communication with Great Britain :—
(1.) That the early establishment of monthly communication by Steam Ships between Great Britain and the Australian Colonies, is imperatively called for, and eminently calculated to promote both Imperial and Australian interests.
(2.) That since the discovery and successful working of rich and extensive Gold Mines, in the Colonies of New South Wales and Victoria, and in anticipation of numerous passengers, the route by the Cape of Good Hope—always, in the opinion of this House, by far the most advantageous for the Australian Colonies generally—has at length become pre-eminently so, inasmuch as the great requirements are economy and expedition in the transit of passengers, and a speedy and safe conveyance for the rapidly increasing produce of the Australian Gold Fields, which great advantages are unattainable by other routes.
(3.) That while this House rejoices to find its opinion so strictly in unison with the able Report recently recommended for adoption to Her Majesty's Government by a Select Committee of the Honourable the House of Commons, it deplors and deprecates any unnecessary delay in the establishment of a line of Steam Ships so generally approved as subversive alike of the great interests of the Mother Country and those of her important Colonies in this Hemisphere.
(4.) That in the opinion of this House the great traffic of the line and the bonus attainable from the British Government for carrying the mails, are inducements sufficiently strong to render unnecessary any aid from the funds of this Government.
(5.) That an Address be presented to His Excellency the Lieutenant-Governor, requesting His Excellency to forward the foregoing Resolutions to the Secretary of State for the Colonies with a recommendation of their favourable consideration by Her Majesty's Government.
6. THE SOLICITOR-GENERAL :—To move for leave to bring in a Bill to alter an Act intituled "An Act further to amend an Act intituled an Act for the better preservation of the Ports, Harbours, Havens, Roadsteads, Channels, Navigable Creeks and Rivers in New South Wales, and the better regulation of Shipping in the same :'" and to provide for the rate of Pilotage in the several Harbours in the Colony of Victoria.
7. MR. WILKINSON : To move that an Address be presented to the Lieutenant-Governor, requesting that steps be immediately taken to enquire into the state of the several Government Departments in Portland, with a view to render them more efficient for the Public Service in that town, and in the districts surrounding.

TUESDAY, NOVEMBER 25.

NOTICES OF MOTION :—

1. MR. FAWKNER : To move for the Repeal or Modification of the Law exempting from Auction Dues the Stock and Stations of the Occupants of Crown Lands, the Act being one made to exempt all Colonial Produce, Stock and Stations from paying any Auction Dues ; this being also a class Act conferring undue advantages on one class of this community to the injury of all other classes.
2. MR. O'SHANASSY : To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House :—
 - (1.) A Return of the Gross Proceeds arising from the Sale of Waste Lands of the Crown, from the foundation of Port Phillip to its erection into a Separate Colony, on the first day of July, 1851, specifying the amount realised in each year, and distinguishing the sums paid for Town, Suburban, and Country Lands.
 - (2.) The total quantity alienated during that period, specifying the number of acres and the average price per acre in Town, Suburban, and Country, in each year.
 - (3.) The quantity of Land sold by Public Auction, and the amount of the gross proceeds ; also the quantity of Land alienated by private Sale, and the gross proceeds of the same, with amount received under each head in every year.
 - (4.) The gross proceeds of the Sale of Waste Lands of the Crown in each County, whether Sold by Public Auction or Private Sale, specifying the total amount realised in each year.
 - (5.) The Annual Number of Public Sales of Crown Land, the date of each Proclamation of Sale, the number of acres withdrawn by the Crown, and the quantity for which no offer had been made at Auction.
 - (6.) A Return, under the Heads of Town, Suburban, and Country, of the Quantity of Waste Lands Surveyed, but not alienated, and the County where such Lands are situate.
 - (7.) A Return showing the quantity of Land applied for under the Pre-emptive Right, 9 and 10 Vic., c. 104, date of application, name of applicant, local description, and number of acres applied for by each applicant.
 - (8.) The quantity alienated under the Pre-emptive Right, the Name of the Purchaser, Names of the Valuers, Estimated Value of Improvements (if any), Date of Purchase, and Local Description.
3. MR. FAWKNER : (1.) To move that an Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to lay before this House a full Statistical Account of the Pastoral and other occupiers of the Waste Lands of the Crown in this Colony.
 - (2.) A Yearly Return shewing the number and extent of the holders and quantity of land and stock, and the sums paid by each, and whether paid by persons holding stock or occupying for other purposes.
 - (3.) A Yearly Return of all Persons holding Licenses to Cut Wood, Quarry Stone, Burn Lime, and generally of all Persons paying License Fees to enable them to use the products natural to this Province.
 - (4.) A Return as early as practicable of the Quantity of Land held by or returned by each individual as held by or claimed by him or her, together with the amount of Stock then on each Run : and also the amount of Stock each holder estimates his or her Run will hold : and also the Return of the Crown Lands' Commissioner on this point, if any Return has been made by such Official.
 - (5.) A Return of the Probable Quantity of Stock this Province could agist, if such Return has ever been made by the Crown Lands' Commissioners or either of them : and from the year 1847 a full Return of how much each Stockholder paid yearly as License Money, as Assessment Money, or in any other manner to the Local Government for the use of Crown Lands, distinguishing how many Licenses each Person holds, how much Stock each Holder keeps on each Run : and how far short this Return is of the number stated by the Holder of each License the Land would agist in the Return made on this subject.
 - (6.) An Account also of the Number, Names, and Costs of the Crown Lands' Commissioners for each year separately, together with the whole Cost of their Departments, whether of Servants, of Policemen, Horses, Provender, Buildings, Arms, Ammunition, Accoutrements, Fencing and Cultivating Paddocks, and generally of all and sundry the Cost to the country of this Department, Town, or other Offices, and a copy of the instructions issued to them, to guide them in apportioning the quantity of Land to each License.
4. MR. FAWKNER : To move that this Council do Address His Excellency the Lieutenant-Governor, praying him to take such measures, by Bill or otherwise, as will render the Gold, the produce of this Province, a Legal Tender, and embodying a proposition to establish an Assay Office, in which such Gold shall be cast into ingots, and duly stamped as of such fineness as it may prove, and in Bars of an ounce and its multiples, and to fix upon it a value at which it shall be taken in all the public offices of the Colony, and, if need be, declared a Legal Tender—say at Three Pounds Ten Shillings per ounce.
5. MR. MILLER : To move for a Select Committee on Roads and Bridges to enquire and report on their present state, and how the funds placed at the disposal of Government may be expended to the best advantage in making and repairing Roads and Bridges throughout the Colony, and that such Committee consist of the following gentlemen :—Mr. Dight, Mr. Haines, Mr. Smith, Mr. Westgarth, and the proposer.

6. MR. O'SHANASSY: To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House:—
- (1.) A Return of the whole Cost of Immigration to this colony from the United Kingdom up to the 1st. day of July, 1851, showing the Annual Expenditure, number of Vessels employed, and number of Immigrants brought to the Colony in each ship.
 - (2.) A Return, showing the Number, Age, Sex, Religion, and Country, of the Immigrants; the Contract Price paid for each Statute Adult; the Sum received for assisted Passages, and the Amount Expended out of the Colonial Land Fund in each year ending on the 1st. July, 1851.
 - (3.) Copies of the various Regulations issued by the Colonial Land and Emigration Commissioners for information on the subject of Emigration to this Colony.
 - (4.) A Return of the Annual Amount paid to the Commissioners of Her Majesty's Treasury, in the United Kingdom, for the purchase of Land in the Colony.
 - (5.) The Cost of the Immigration Department Annually, number of Persons employed, and nature of their employment; also, the Amount charged, or chargeable to this Colony by the Colonial Land and Emigration Commissioners in defraying the cost of their Department in the United Kingdom,
 - (6.) A Return showing the Annual Expense of Survey Management and Sale of Crown Lands, specifying the cost of the Survey Department, the number of Persons employed, and the nature of their occupations.
 - (7.) A Return showing the Appropriation (if any) of the Proceeds of the Sale of Crown Lands, under directions from the Commissioners of Her Majesty's Treasury, appointed by the 5 and 6 Vic. chap. 36.
7. MR WILKINSON: To move that an Address be presented to the Lieutenant-Governor, requesting His Excellency to place upon the Table of the House, Copies of all Correspondence which may have passed between the respective Governments of New South Wales and South Australia, having relation to the Boundary Line separating the two of Colonies of Victoria and South Australia.

ORDER OF DAY:—

1. Interpretation of Acts Bill—Second reading.

WEDNESDAY, NOVEMBER 26.

Government Business.

ORDER OF THE DAY:—

- Consideration of the Lieutenant-Governor's Financial Message No. 2, with the Estimates of the Ways and Means and Expenditure for 1852, and Supplementary Estimate for 1851.

FRIDAY, NOVEMBER 28.

NOTICES OF MOTION:—

1. MR. ROBINSON: To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
 - (1.) A Return of all Crown Lands that have been applied for to be put up for Public Sale, from the Foundation of Port Phillip till the last Government Land Sale, distinguishing the quantity sold and the sums it sold for, the quantity reserved, and the reasons (if any) for such reservation.
 - (2.) A Return showing the Amount of Deposits made for the Purchase of Land, from the Foundation of Port Phillip till the last Government Land Sale, distinguishing the sums deposited, under the Regulations of 22nd December, 1843, for the selection of Emigrants.

WEDNESDAY, DECEMBER 3.

Government Business.

ORDER OF THE DAY:—

1. Administration of Justice Bill—Second reading.

FRIDAY, DECEMBER 5.

ORDERS OF THE DAY:—

1. Gunpowder Bill—Second reading.
2. Melbourne and Geelong Police Rate Suspension Bill—Second reading.

J. F. PALMER,
Speaker.

No. 8.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,
FRIDAY, 21st November, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. ADDRESSES.—The Speaker announced to the Council, that he had pursuant to the Resolutions of this Council, presented the following Addresses to His Excellency the Lieutenant-Governor, viz. :—
 - (No. 1.) Roads and Bridges.—Adopted on the 14th November, on the motion of Dr. Murphy.
 - (No. 2.) Gold.—Adopted on 18th November, on the motion of Dr. Murphy.
 - (No. 5.) Convicts.—Adopted on the 19th November, on the motion of Mr. Johnston, And that His Excellency had, in reply to such Addresses, been pleased to direct that the Returns requested by them should as far as practicable be laid before the Council.
3. ADDRESS.—The Speaker announced to the Council, that he had, pursuant to the Resolution of this Council, presented the following Address to His Excellency the Lieutenant-Governor, viz. :—
 - (No. 3.) Transportation.—Adopted on 19th November, on the motion of Mr. Westgarth, and that His Excellency had been pleased to state in reply to such Address, that he would comply with the wishes of the Council.
4. ADDRESS.—The Speaker announced to the Council, that he had, pursuant to the Resolution of this Council, presented the following Address to His Excellency the Lieutenant-Governor, viz. :—
 - (No. 4.) Sydney Road.—Adopted on 19th November, on the motion of Mr. Fawkner, and that His Excellency had been pleased to state in reply to such Address, that if the Returns sought for by the Address had not already been laid on the Table of this Council they should be placed there.
5. ELECTIONS AND QUALIFICATIONS COMMITTEE.—The several Members of this Committee appointed by the Speaker's Warrant, dated the 14th November instant, were, in compliance with the terms of the 58th Section of "The Victoria Electoral Act of 1851," duly sworn at the Table of the Council by the Clerk.
6. The COLONIAL SECRETARY laid upon the Table by command of His Excellency, the Lieutenant Governor, "The Report of a Board instituted by His Honor the Superintendent of Port Phillip, to enquire into the actual State of the Post Office, with the suggestions of the Board thereon."
Ordered to be printed.
7. The COLONIAL SECRETARY laid upon the Table by command of His Excellency, the Lieutenant Governor, "The Statistical Returns for the District of Port Phillip, now the Colony of Victoria, for the year 1850."
Ordered to be printed.
8. The COLONIAL SECRETARY laid upon the Table by Command of His Excellency, the Lieutenant Governor, "The Blue Book for the year 1850, of the District of Port Phillip."
9. Postponement of Motion.—Mr. FAWKNER, by leave of the Council, postponed the Motion standing in his name, No. 1, on the Notice Paper of to-day, until the 2nd December next.
10. Conveyance of Real Property Bill.—The SOLICITOR GENERAL, having pursuant to notice, Moved for and obtained leave to bring in a "Bill to facilitate the Conveyance of Real Property," Bill read a first-time. Ordered to be printed and read a second time the 5th December next.
11. WITHDRAWALS OF NOTICES OF MOTION :—
 - Mr. O'Shannassy by leave of the Council, withdrew the Notice of Motion standing in his name, No. 3, on the Notice Paper of to-day.
 - Mr. Wilkinson by leave of the Council, withdrew the Notice of Motion standing in his name, No. 4, on the Notice Paper of to-day.
13. Steam Communication with Great Britain.—MR. SPLATT, pursuant to Notice, moved, "That" this Council affirm the following Resolutions as expressive of its views on Steam Communication with Great Britain :—
 - (1.) That the early establishment of monthly communication by Steams Ships between Great Britain and the Australian Colonies, is imperatively called for, and eminently calculated to promote both Imperial and Australian interests.
 - (2.) That since the discovery and successful working of rich and extensive Gold Mines, in the Colonies of New South Wales and Victoria, and in anticipation of numerous passengers, the route by the Cape of Good Hope—always, in the opinion of this House, by far the most advantageous for the Australian Colonies generally—has at length become pre-eminently so, inasmuch as the great requirements are economy and expedition in the transit of passengers, and a speedy and safe conveyance for the rapidly increasing produce of the Australian Gold Fields, which great advantages are unattainable by other routes.

(3.) That while this House rejoices to find its opinion so strictly in unison with the able Report recently recommended for adoption to Her Majesty's Government by a Select Committee of the Honourable the House of Commons, it deplores and deprecates any unnecessary delay in the establishment of a line of Steam Ships so generally approved as subservive alike of the great interests of the Mother Country and those of her important Colonies in this Hemisphere.

(4.) That in the opinion of this House the great traffic of the line and the bonus attainable from the British Government for carrying the mails, are inducements sufficiently strong to render unnecessary any aid from the funds of this Government.

(5.) That an Address be presented to His Excellency the Lieutenant-Governor, requesting His Excellency to forward the foregoing Resolutions to the Secretary of State for the Colonies with a recommendation of their favourable consideration by Her Majesty's Government.

Mr. Griffith moved as an amendment, That all words following the word "Interests" at the end of Clause I, unto and including the word "Government," at the end of the 4th Clause, be omitted with the view to the insertion in their place the words following, that is to say, "That much injury has been inflicted on the various great interests in these Colonies, by the delay which has already occurred in establishing such a line of Communication, and that the discovery and successful working of gold in this Colony, and that of New South Wales, makes any further delay still more deeply to be deplored."

Debate ensued.

Amendment by leave withdrawn.

Mr. O'Shannassy moved as an Amendment, that all the words after the word "That," be omitted, in order to insert in their place, the words, "A Select Committee to consist of the mover, Mr. Dunlop, Mr. Splatt, Mr. Griffith, Mr. Miller, Mr. Mercer, Mr. Goldsmith, and Mr. Westgarth be appointed, to consider the subject of Steam Communication to this Colony, and to report to this Council, on Friday, 28th Instant.

Debate continued.

Question put that the words proposed to be omitted stand part of the Question; put and negatived.

Question put that the words proposed to be inserted in the place of the words omitted be so inserted; put and passed.

The Question as amended was then put and carried.

13. PRESERVATION OF PORTS BILL.—The Solicitor-General, pursuant to notice, moved for leave to bring in a Bill intituled "A Bill to alter an Act intituled an Act for the better preservation of the Ports, Harbours, Havens, Roadsteads, Channels, Navigable Creeks and Rivers in New South Wales, and the better regulation of Shipping in the same:" and to provide for the rate of Pilotage in the several Harbours in the Colony of Victoria.

Question put and passed.

Ordered that the mover and seconder prepare and bring in the Bill.

14. PORTLAND.—Mr. Wilkinson, pursuant to notice, moved That an Address be presented to His Excellency the Lieutenant-Governor, requesting that steps be immediately taken to enquire into the state of the several Government Departments in Portland, with a view to render them more efficient for the Public Service in that town, and in the districts surrounding.

Debate ensued.

Question put and negatived.

15. EDUCATION COMMISSION BILL.—The Attorney-General having presented a Bill to Incorporate the Board of Commissioners and make provision for a general System of Education in the Colony of Victoria. Read a first time, ordered to be printed, and read a second time this day fortnight.

16. PRESERVATION OF PORTS BILL.—The Solicitor-General having presented the Bill to alter an Act to amend an Act for the better preservation of Ports, Harbours, Havens, Roadsteads, Channels, Navigable Creeks and Rivers, in New South Wales, and the better regulation of Shipping in the same, and to provide for the Rate of Pilotage in the several Harbours in the Colony of Victoria. Ordered to be printed and read a second time this day week.

Council adjourned at ten minutes past Six o'Clock until Tuesday next at Three o'Clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, NOVEMBER 25.

NOTICES OF MOTION :—

1. MR. FAWKNER: To move for the Repeal of the Law exempting from Auction Dues the Stock and Stations of the Occupants of Crown Lands, 1st. of October, 1850, No. xxxiv, with leave to bring in a Bill to repeal the above recited Act.
2. MR. O'SHANASSY: To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House :—
 - (1.) A Return of the Gross Proceeds arising from the Sale of Waste Lands of the Crown, from the foundation of Port Phillip to its erection into a Separate Colony, on the first day of July, 1851, specifying the amount realised in each year, and distinguishing the sums paid for Town, Suburban, and Country Lands.

- (2.) The total quantity alienated during that period, specifying the number of acres and the average price per acre in Town, Suburban, and Country, in each year.
- (3.) The quantity of Land sold by Public Auction, and the amount of the gross proceeds; also the quantity of Land alienated by private Sale, and the gross proceeds of the same, with amount received under each head in every year.
- (4.) The gross proceeds of the Sale of Waste Lands of the Crown in each County, whether Sold by Public Auction or Private Sale, specifying the total amount realised in each year.
- (5.) The Annual Number of Public Sales of Crown Land, the date of each Proclamation of Sale, the number of acres withdrawn by the Crown, and the quantity for which no offer had been made at Auction.
- (6.) A Return, under the Heads of Town, Suburban, and Country, of the Quantity of Waste Lands Surveyed, but not alienated, and the County where such Lands are situate.
- (7.) A Return showing the quantity of Land applied for under the Pre-emptive Right, 9 and 10 Vic., c. 104, date of application, name of applicant, local description, and number of acres applied for by each applicant.
- (8.) The quantity alienated under the Pre-emptive Right, the Name of the Purchaser, Names of the Valuers, Estimated Value of Improvements (if any), Date of Purchase, and Local Description.
3. **MR. FAWKNER:** (1.) To move that an Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to lay before this House a full Statistical Account of the Pastoral and other occupiers of the Waste Lands of the Crown in this Colony.
- (2.) A Yearly Return shewing the number and extent of the holders and quantity of land and stock, and the sums paid by each, and whether paid by persons holding stock or occupying for other purposes.
- (3.) A Yearly Return of all Persons holding Licenses to Cut Wood, Quarry Stone, Burn Lime, and generally of all Persons paying License Fees to enable them to use the products natural to this Province.
- (4.) A Return as early as practicable of the Quantity of Land held by or returned by each individual as held by or claimed by him or her, together with the amount of Stock then on each Run: and also the amount of Stock each holder estimates his or her Run will hold: and also the Return of the Crown Lands' Commissioner on this point, if any Return has been made by such Official.
- (5.) A Return of the Probable Quantity of Stock this Province could agist, if such Return has ever been made by the Crown Lands' Commissioners or either of them: and from the year 1847 a full Return of how much each Stockholder paid yearly as License Money, as Assessment Money, or in any other manner to the Local Government for the use of Crown Lands, distinguishing how many Licenses each Person holds, how much Stock each Holder keeps on each Run: and how far short this Return is of the number stated by the Holder of each License the Land would agist in the Return made on this subject.
- (6.) An Account also of the Number, Names, and Costs of the Crown Lands' Commissioners for each year separately, together with the whole Cost of their Departments, whether of Servants, of Policemen, Horses, Provender, Buildings, Arms, Ammunition, Accoutrements, Fencing and Cultivating Paddocks, and generally of all and sundry the Cost to the country of this Department, Town, or other Offices, and a copy of the instructions issued to them, to guide them in apportioning the quantity of Land to each License.
4. **MR. FAWKNER:** To move that this Council do Address His Excellency the Lieutenant-Governor, praying him to take such measures, by Bill or otherwise, as will render the Gold, the produce of this Province, a Legal Tender, and embodying a proposition to establish an Assay Office, in which such Gold shall be cast into ingots, and duly stamped as of such fineness as it may prove, and in Bars of an ounce and its multiples, and to fix upon it a value at which it shall be taken in all the public offices of the Colony, and, if need be, declared a Legal Tender—say at Three Pounds Ten Shillings per ounce.
5. **MR. MILLER:** To move for a Select Committee on Roads and Bridges to enquire and report on their present state, and how the funds placed at the disposal of Government may be expended to the best advantage in making and repairing Roads and Bridges throughout the Colony, and that such Committee consist of the following gentlemen:—Mr. Dight, Mr. Haines, Mr. Smith, Mr. Westgarth, and the proposer.
6. **MR. O'SHANASSY:** To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House:—
- (1.) A Return of the whole Cost of Immigration to this colony from the United Kingdom up to the 1st. day of July, 1851, showing the Annual Expenditure, number of Vessels employed, and number of Immigrants brought to the Colony in each ship.
- (2.) A Return, showing the Number, Age, Sex, Religion, and Country, of the Immigrants; the Contract Price paid for each Statute Adult; the Sum received for assisted Passages, and the Amount Expended out of the Colonial Land Fund in each year ending on the 1st. July, 1851.
- (3.) Copies of the various Regulations issued by the Colonial Land and Emigration Commissioners for information on the subject of Emigration to this Colony.
- (4.) A Return of the Annual Amount paid to the Commissioners of Her Majesty's Treasury, in the United Kingdom, for the purchase of Land in the Colony.

(5.) The Cost of the Immigration Department Annually, number of Persons employed, and nature of their employment; also, the Amount charged, or chargeable to this Colony by the Colonial Land and Emigration Commissioners in defraying the cost of their Department in the United Kingdom,

(6.) A Return showing the Annual Expense of Survey Management and Sale of Crown Lands, specifying the cost of the Survey Department, the number of Persons employed, and the nature of their occupations.

(7.) A Return showing the Appropriation (if any) of the Proceeds of the Sale of Crown Lands, under directions from the Commissioners of Her Majesty's Treasury, appointed by the 5 and 6 Vic. chap. 36.

7. MR. WILKINSON: To move that an Address be presented to the Lieutenant-Governor, requesting His Excellency to place upon the Table of the House, Copies of all Correspondence which may have passed between the respective Governments of New South Wales and South Australia, having relation to the Boundary Line separating the two of Colonies of Victoria and South Australia.
8. MR. RUTLEDGE: To move that an Address be presented to His Excellency, the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the amount of Customs Revenue, collected at the Ports of Portland, Port Fairy, Warnambool, and Port Albert, respectively during the years 1848, 1849, 1850, and to the 31st of October, 1851.
9. MR. RUTLEDGE: To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of all documents which may have been received or issued by the Government, with reference to the conduct of the Harbour Master, upon the occasion of the stranding of "The James T. Foord," Emigrant ship, in Port Phillip Bay in May, last.
10. MR. RUTLEDGE: To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be placed upon the Estimates of Expenditure for the year 1852, the following sums in addition to those already proposed, namely—

<i>His Excellency the Lieutenant Governor:</i>		
His Excellency the Lieutenant-Governor	£2500	0 0
Allowance for House Rent in lieu of residence	500	0 0
<i>Legislative Council:</i>		
Speaker	150	0 0
<i>Customs Department:</i>		
Collector	150	0 0
First Clerk	40	0 0
First Landing Waiter.....	40	0 0
Warehousekeeper	40	0 0
<i>Williams Town:</i>		
Landing Waiter, &c.	30	0 0
<i>Port Fairy:</i>		
Sub Collector	30	0 0
<i>Port Albert:</i>		
Sub-Collector, to perform the duties of Harbour Master	30	0 0
<i>Post Office:</i>		
Chief Postmaster	150	0 0
Accountant.....	35	0 0
<i>Geelong:</i>		
Postmaster	85	0 0
<i>Harbour Masters Department:</i>		
Assistant Harbour Master	100	0 0
<i>Telegraph Stations:</i>		
Keeper at Melbourne	20	2 0
Assistant.....	4	5 0
Keeper at Gelibrand's Point	20	2 0
<i>Sheriff:</i>		
Sheriff.....	50	0 0
<i>Colonial Treasurer:</i>		
Chief Clerk.....	50	0 0
<i>Supreme Court:</i>		
Three Junior Clerks, each £10	30	0 0
<i>Police:</i>		
Towards the pay of the Ordinary and Mounted Police, employed in the Country Districts, exclusive of the Counties of Bourke and Grant, by the addition of 6d. per day, per man	1000	0 0
<i>Gaol:</i>		
For a Chaplain to the Gaol at Melbourne	100	0 0

11. THE SOLICITOR-GENERAL: To move for leave to bring in a Bill for the Administration of Justice in Courts of Quarter Sessions.
12. THE SOLICITOR-GENERAL: To move for leave to bring in a Bill to regulate Distress for Rent and proceedings in Replevien.

13. **MR. WESTGARTH.**—To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House the following Returns, on the subject of the present Penal Establishment at Pentridge, in addition to the particulars already before the House, as detailed in the Estimates :—

Date of commencement of the Establishment.

Number of Prisoners who have at different times been upon the Establishment.

All modes of employment of the various Prisoners.

The dormitory arrangements, and whether each Prisoner has a distinct apartment or separate sleeping place or otherwise.

Number and date of attempts to escape: result of these attempts, and the casualties attendant.

Length of Road made by the Prisoners, since commencement to this time.

Number of Officers, Constables, and others, superintending the prisoners or otherwise employed, in connection with the Establishment, at different times until now.

Every expense incurred, or to be incurred, in connection with this Establishment, from its commencement to 31st. December next, specifying particulars, and including any amounts in the Supplementary Estimates now before the House.

ORDER OF THE DAY :—

1. Interpretation of Acts Bill—Second reading.

WEDNESDAY, NOVEMBER 26.

Government Business.

ORDER OF THE DAY :—

- Consideration of the Lieutenant-Governor's Financial Message No. 2, with the Estimates of the Ways and Means and Expenditure for 1852, and Supplementary Estimate for 1851.

FRIDAY, NOVEMBER 28.

NOTICES OF MOTION :—

1. **MR. ROBINSON :** To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
 - (1.) A Return of all Crown Lands that have been applied for to be put up for Public Sale, from the Foundation of Port Phillip till the last Government Land Sale, distinguishing the quantity sold and the sums it sold for, the quantity reserved, and the reasons (if any) for such reservation.
 - (2.) A Return showing the Amount of Deposits made for the Purchase of Land, from the Foundation of Port Phillip till the last Government Land Sale, distinguishing the sums deposited, under the Regulations of 22nd December, 1848, for the selection of Emigrants.

ORDER OF THE DAY :—

1. Preservation of Ports Bill—Second reading.

TUESDAY, DECEMBER 2.

NOTICES OF MOTION :—

1. **MR. FAWKNER :** To move that this House do take into consideration the question of Repealing the Act empowering the Licensed Occupants, and others, on Crown Lands, to impound Stock trespassing thereon, being the Act of the Legislature of New South Wales passed in the year 1850, and assented to by His Excellency the Lieutenant-Governor of the Colony, October 2, 1850; with leave to bring in a Bill to repeal this impounding Act, No. XLII.
2. **MR. RUTLEDGE :** To move for leave to bring in a Bill to amend the Act, 10 Victoria, No. 8, now in force for preventing the extension of the diseases called "The Scab" and "The Influenza" or "The Catarrh" in Sheep and Lambs in the Colony of New South Wales.

WEDNESDAY, DECEMBER 3.

Government Business.

ORDER OF THE DAY :—

1. Administration of Justice Bill—Second reading.

FRIDAY, DECEMBER 5.

ORDERS OF THE DAY :—

1. Gunpowder Bill—Second reading.
2. Melbourne and Geelong Police Rate Suspension Bill—Second reading.
3. Conveyance of Real Property Bill—Second reading.
4. Education Commission Bill—Second reading.

J. F. PALMER,
Speaker.

No. 9.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

TUESDAY, 25th November, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. **DECLARATION OF QUALIFICATION.**—Mr. Osborne, an Elective Member of the said Council, handed to the Clerk, at the Table, as prescribed by the 3rd Section of the Act (to amend and explain the Constitutional Act,) 7 and 8 Vic., Chap. 74, the following Declaration:—

“ I, Thomas Hamilton Osborne, do declare and testify that I am duly seized at Law or in Equity of an Estate of Freehold for my own use and benefit in Lands or Tenements in the Colony of Victoria, of the annual value of One Hundred Pounds, Sterling Money, above all Charges and Incumbrances affecting the same: And further that the Lands or Tenements out of which such Qualification arises are situate in the Town of Portland and County of Normanby, being portion of Allotment Number Nine, Section Thirteen, and in the Town of Belfast and County of Villiers, being Number Four, Section Nine, and in Belfast East, being Number Eight, Section One, Numbers Two and Nine, Section Three, and Number Nine, Section Four. On the first mentioned there are three houses:—And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

T. H. OSBORNE.”
3. **PARISH ROADS.**—Mr. Dight presented a petition from Robert George Durham, of the Darebin Creek, in the Northern Division of the County of Bourke, freeholder, praying that the Council take the statements set forth in the petition into its earliest consideration, especially as the large sums of money about to be expended upon the Roads of the Colony will in a great measure be thrown away, unless this Council shall enact some more comprehensive and less objectionable measure, for the maintaining and repairing the Roads of the Colony when made, than that now in force.
Petition received.
4. **WITHDRAWAL OF NOTICE OF MOTION.**—Mr. Fawkner withdrew the Notice of Motion standing in his name, No. 1 on the Notice Paper of to-day.
5. **WASTE LANDS.**—Mr. O'Shanassy moved pursuant to notice, that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House:—
 - (1.) A Return of the Gross Proceeds arising from the Sale of Waste Lands of the Crown, from the foundation of Port Phillip to its erection into a Separate Colony, on the first day of July, 1851, specifying the amount realised in each year, and distinguishing the sums paid for Town, Suburban, and Country Lands.
 - (2.) The total quantity alienated during that period, specifying the number of acres and the average price per acre in Town, Suburban, and Country, in each year.
 - (3.) The quantity of Land sold by Public Auction, and the amount of the gross proceeds; also the quantity of Land alienated by private Sale, and the gross proceeds of the same, with amount received under each head in every year.
 - (4.) The gross proceeds of the Sale of Waste Lands of the Crown in each County, whether Sold by Public Auction or Private Sale, specifying the total amount realised in each year.
 - (5.) The Annual Number of Public Sales of Crown Land, the date of each Proclamation of Sale, the number of acres withdrawn by the Crown, and the quantity for which no offer had been made at Auction.
 - (6.) A Return, under the Heads of Town, Suburban, and Country, of the Quantity of Waste Lands Surveyed, but not alienated, and the County where such Lands are situate.
 - (7.) A Return showing the quantity of Land applied for under the Pre-emptive Right, 9 and 10 Vic., c. 104, date of application, name of applicant, local description, and number of acres applied for by each applicant.
 - (8.) The quantity alienated under the Pre-emptive Right, the Name of the Purchaser, Names of the Valuers, Estimated Value of Improvements (if any), Date of Purchase, and Local Description.

Mr. Westgarth moved as an amendment, that all the words following the word "situate" at the end of Section 6, in the above motion, be omitted, with a view to insert in their place the words following—

- (7.) "Lands applied for under pre-emptive right, viz:—
- (1.) Land alienated under pre-emptive right, showing date of Application, Name of Applicant, Number of Acres applied for, Local Description, Names of Valuators, Estimated Value of Improvements if any, Valuation per acre irrespective of improvements, Date of Payment, Amount of Payment, Number of acres alienated, distinguishing the localities, Cost of Survey charged to each party.
 - (2.) Lands applied for but not yet granted, viz:—Date of Application, Name of Applicant, Number of acres applied for, Local description, Cause of delay.
 - (3.) Land applied for but refused, viz:—Date of Application, Name of Applicant, Number of Acres applied for, Local Description, Cause of Refusal.
 - (4.) Lands applied for and valued, but refused by Applicant, viz:—Date of Application, Name of Applicant, Number of acres applied for, Local description, Names of Valuators, Estimated value of Improvements if any, Valuation per acre irrespective of improvements."

Question that the words proposed to be omitted stand part of the question.

Put and negatived.

Question that the words proposed to be inserted in place of the words omitted be so inserted.

Put and passed.

Question as amended was then put and carried.

Address to be presented by the Speaker.

6. WASTE LANDS.—Mr. Fawcner moved, pursuant to notice, that an Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to lay before this House a full Statistical Account of the Pastoral and other occupiers of the Waste Lands of the Crown in this Colony.

(2.) A Yearly Return shewing the number and extent of the holders and quantity of land and stock, and the sums paid by each, and whether paid by persons holding stock or occupying for other purposes.

(3.) A Yearly Return of all Persons holding Licenses to Cut Wood, Quarry Stone, Burn Lime, and generally of all Persons paying License Fees to enable them to use the products natural to this Province.

(4.) A Return as early as practicable of the Quantity of Land held by or returned by each individual as held by or claimed by him or her, together with the amount of Stock then on each Run: and also the amount of Stock each holder estimates his or her Run will hold: and also the Return of the Crown Lands' Commissioner on this point, if any Return has been made by such Official.

(5.) A Return of the Probable Quantity of Stock this Province could agist, if such Return has ever been made by the Crown Lands' Commissioners or either of them: and from the year 1847 a full Return of how much each Stockholder paid yearly as License Money, as Assessment Money, or in any other manner to the Local Government for the use of Crown Lands, distinguishing how many Licenses each Person holds, how much Stock each Holder keeps on each Run: and how far short this Return is of the number stated by the Holder of each License the Land would agist in the Return made on this subject.

(6.) An Account also of the Number, Names, and Costs of the Crown Lands' Commissioners for each year separately, together with the whole Cost of their Departments, whether of Servants, of Policemen, Horses, Provender, Buildings, Arms, Ammunition, Accoutrements, Fencing and Cultivating Paddocks, and generally of all and sundry the Cost to the country of this Department, Town, or other Offices, and a copy of the instructions issued to them, to guide them in apportioning the quantity of Land to each License.

7. POSTPONEMENT OF MOTION.—Mr. Fawcner postponed the Motion standing in his name, No. 4, on the Notice Paper of to-day, until the 5th day of December next.

8. ROADS AND BRIDGES.—Mr. Miller moved pursuant to notice, for a Select Committee on Roads and Bridges to enquire and report on their present state, and how the funds placed at the disposal of Government may be expended to the best advantage in making and repairing Roads and Bridges throughout the Colony, and that such Committee consist of the following gentlemen:—Mr. Dight, Mr. Haines, Mr. Smith, Mr. Westgarth, Mr. Snodgrass, and the proposer.

Debate ensued.

Mr. Rutledge moved as an amendment that all the words following the word "Committee" be omitted, with a view to insert in their place the words "to consist of ten Members to be chosen by Ballot."

Question, that the words proposed to be omitted stand part of the Question; put and negatived.

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

Question as amended was then put and carried:

Whereupon the Council proceeded to the Ballot, and the following Members were declared to have the greatest number of votes and to be with the Mover the Committee duly appointed, viz:—Mr. Snodgrass, Mr. Haines, Mr. Rutledge, Mr. Dight, Mr. Griffith, Mr. Dunlop, Mr. Splatt, Mr. Turnbull, and Mr. Fawcner.

9. IMMIGRATION.—Mr. O'Shanassy moved, pursuant to notice, "That an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House:—
- (1.) A Return of the whole Cost of Immigration to this colony from the United Kingdom up to the 1st. day of July, 1851, showing the Annual Expenditure, number of Vessels employed, and number of Immigrants brought to the Colony in each ship.
 - (2.) A Return, showing the Number, Age, Sex, Religion, and Country, of the Immigrants; the Contract Price paid for each Statute Adult; the Sum received for assisted Passages, and the Amount Expended out of the Colonial Land Fund in each year ending on the 1st. July, 1851.
 - (3.) Copies of the various Regulations issued by the Colonial Land and Emigration Commissioners for information on the subject of Emigration to this Colony.
 - (4.) A Return of the Annual Amount paid to the Commissioners of Her Majesty's Treasury, in the United Kingdom, for the purchase of Land in the Colony.
 - (5.) The Cost of the Immigration Department Annually, number of Persons employed, and nature of their employment; also, the Amount charged, or chargeable to this Colony by the Colonial Land and Emigration Commissioners in defraying the cost of their Department in the United Kingdom,
 - (6.) A Return showing the Annual Expense of Survey Management and Sale of Crown Lands, specifying the cost of the Survey Department, the number of Persons employed, and the nature of their occupations.
 - (7.) A Return showing the Appropriation (if any) of the Proceeds of the Sale of Crown Lands, under directions from the Commissioners of Her Majesty's Treasury, appointed by the 5 and 6 Vic. chap. 36.
- Question put and carried.
Address to be presented by the Speaker.
10. SOUTH AUSTRALIAN BOUNDARY.—Mr. Wilkinson moved, pursuant to notice, "That an Address be presented to the Lieutenant-Governor, requesting His Excellency to place upon the Table of the House, Copies of all Correspondence which may have passed between the respective Governments of New South Wales and South Australia, having relation to the Boundary Line separating the two Colonies of Victoria and South Australia."
Question put and Carried.
Address to be presented by the Speaker.
11. CUSTOMS' REVENUE.—Mr. Rutledge moved, pursuant to notice, "That an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the amount of Customs Revenue, collected at the Ports of Portland, Port Fairy, Warnambool, and Port Albert, respectively during the years 1848, 1849, 1850, and to the 31st of October, 1851."
Mr. Wilkinson moved as an amendment that the following words be added to be above, viz. : "Also a Return showing the Amount of Wharfage collected at those Ports severally, and for the periods respectively named."
Question, that the words proposed to be added be so added; put and passed.
Question as amended was then put and carried.
Address to be presented by the Speaker.
12. HARBOUR MASTER.—Mr. Rutledge moved pursuant to notice "That an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of all documents which may have been received or issued by the Government, with reference to the conduct of the Harbour Master, upon the occasion of the stranding of "The James T. Foord," Emigrant ship, in Port Phillip Bay in May, last."
Debate ensued.
Question put and carried.—Address to be presented by the Speaker.
13. WITHDRAWAL OF NOTICES OF MOTION :—
Mr. Rutledge, by leave of the Council, withdrew the Notice of Motion standing in his name, No. 10, on the Notice Paper of to-day.
The Solicitor-General, by leave of the Council, withdrew the two several Notices of Motion standing in his name, Nos. 11 and 12, on the Notice Paper of to-day.
14. PENAL ESTABLISHMENT PENTRIDGE.—Mr. Westgarth moved, pursuant to Notice, "That an Address be presented to His Excellency the Lieutenant-Governor praying that His Excellency will be pleased to cause to be laid on the Table of this House the following Returns, on the subject of the present Penal Establishment at Pentridge, in addition to the particulars already before the House, as detailed in the Estimates :—
Date of commencement of the Establishment.
Number of Prisoners who have at different times been upon the Establishment.
All modes of employment of the various Prisoners.
The dormitory arrangements, and whether each Prisoner has a distinct apartment or separate sleeping place or otherwise.
Number and date of attempts to escape: result of these attempts, and the casualties attendant.
Length of Road made by the Prisoners, since commencement to this time.
Number of Officers, Constables, and others, superintending the prisoners or otherwise employed, in connection with the Establishment, at different times until now.

Every expense incurred, or to be incurred, in connection with this Establishment, from its commencement to 31st. December next, specifying particulars, and including any amounts in the Supplementary Estimates now before the House.

Question put and carried.—Address to be presented by the Speaker.

15. **POSTPONEMENT OF ORDER OF THE DAY.**—The Attorney-General, by leave of the Council, postponed the second reading of the Interpretation Acts Bill until Friday next. Council adjourned at Seven o'Clock until to-morrow at Three o'Clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, NOVEMBER 26.

Government Business.

NOTICE OF MOTION :—

1. **ATTORNEY GENERAL :** To move for leave to bring in a Bill to alter the Act to Establish an uniform Rate of Postage, and to consolidate and amend the law for the Conveyance and Postage of Letters.

ORDER OF THE DAY :—

Consideration of the Lieutenant-Governor's Financial Message No. 2, with the Estimates of the Ways and Means and Expenditure for 1852, and Supplementary Estimate for 1851.

Other Business.

NOTICES OF MOTION :—

1. **MR. MURPHY :** To move that an Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to place on the Supplementary Estimates for 1852, the sum of £300, towards defraying the expense of compiling Statistical Tables which may indicate the progress of the Colony, in population, arts, and industrial pursuits from its first settlement, and which may contain all other information likely to be valuable for purposes of reference to the future Historians of Victoria.
2. **MR. WILKINSON :** To move that it be an instruction to the Committee of the whole House in determining the Estimates for 1852, as well as those Supplementary to the present year, for such Committee to take into its special consideration the circumstances of the Colony in relation to the pre-emptive right which is now held over vast and fertile tracts of Country, that no grants from the Revenue be sanctioned, the tendency of which shall be the giving of encouragement to the formation of Villages and Towns on Lands alienated from the Crown.

FRIDAY, NOVEMBER 28.

NOTICES OF MOTION :—

1. **MR. ROBINSON :** To move that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
 - (1.) A Return of all Crown Lands that have been applied for to be put up for Public Sale, from the Foundation of Port Phillip till the last Government Land Sale, distinguishing the quantity sold and the sums it sold for, the quantity reserved, and the reasons (if any) for such reservation.
 - (2.) A Return showing the Amount of Deposits made for the Purchase of Land, from the Foundation of Port Phillip till the last Government Land Sale, distinguishing the sums deposited, under the Regulations of 22nd December, 1848, for the selection of Emigrants.

ORDER OF THE DAY :—

1. Preservation of Ports Bill—Second reading.
2. Interpretation of Acts Bill—Second reading.

TUESDAY, DECEMBER 2.

NOTICES OF MOTION :—

1. **MR. FAWKNER :** To move that this House do take into consideration the question of Repealing the Act empowering the Licensed Occupants, and others, on Crown Lands, to impound Stock trespassing thereon, being the Act of the Legislature of New South Wales passed in the year 1850, and assented to by His Excellency the Lieutenant-Governor of the Colony, October 2, 1850; with leave to bring in a Bill to repeal this impounding Act, No. XLII.
2. **MR. RUTLEDGE :** To move for leave to bring in a Bill to amend the Act, 10 Victoria, No. 8, now in force for preventing the extension of the diseases called "The Scab" and "The Influenza" or "The Catarrh" in Sheep and Lambs in the Colony of New South Wales.

WEDNESDAY, DECEMBER 3.

Government Business.

ORDER OF THE DAY :—

1. Administration of Justice Bill—Second reading.
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FRIDAY, DECEMBER 5.

NOTICES OF MOTION :—

1. MR. FAWKNER : To move that this Council do Address His Excellency the Lieutenant-Governor, praying him to take such measures, by Bill or otherwise, as will render the Gold, the produce of this Province, a Legal Tender, and embodying a proposition to establish an Assay Office, in which such Gold shall be cast into ingots, and duly stamped as of such fineness as it may prove, and in Bars of an ounce and its multiples, and to fix upon it a value at which it shall be taken in all the public offices of the Colony, and, if need be, declared a Legal Tender—say at Three Pounds Ten Shillings per ounce.

ORDERS OF THE DAY :—

1. Gunpowder Bill—Second reading.
2. Melbourne and Geelong Police Rate Suspension Bill—Second reading.
3. Conveyance of Real Property Bill—Second reading.
4. Education Commission Bill—Second reading.

J. F. PALMER,
Speaker.

No. 10.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

WEDNESDAY, 26th November, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. THE ATTORNEY-GENERAL moved, pursuant to notice, that he have leave to bring in "A Bill to alter the Act to Establish an uniform Rate of Postage, and to consolidate and amend the law for the Conveyance and Postage of Letters."
Question put and passed.
Ordered that the mover and seconder prepare and bring in the Bill.
3. ADDRESS TO LIEUTENANT-GOVERNOR TO PLACE SUMS OF MONEY ON SUPPLEMENTARY ESTIMATES.—Mr. Robinson having given notice of his intention to move on a future day for an Address to His Excellency the Lieutenant-Governor, praying that His Excellency would be pleased to place on the Supplementary Estimates for 1852, certain Sums of Money, the Speaker submitted to the Council that such a practice as that contemplated by above Notice was at variance with the practice of the House of Commons, although in conformity to the practice of the Legislative Council of New South Wales.
A debate arose as to the propriety of such a course.
The Colonial-Secretary moved, That this House will not proceed upon any Motion for an Address to His Excellency the Lieutenant-Governor praying that any Money may be issued, or that any Expense may be incurred, but in a Committee of the whole Council, and that the same be declared a Standing Order of this Council.
Question put and passed.
Notice of Motion withdrawn.
4. ROADS AND BRIDGES.—The Colonial-Secretary, by command of His Excellency the Lieutenant-Governor, laid upon the Table the Return to the Address on this subject, adopted on Motion of Dr. Murphy on the 14th. November.
Ordered to be printed.
5. CONVICTS.—The Colonial-Secretary, by command of His Excellency the Lieutenant-Governor, laid upon the Table the Return to the Address on this subject, adopted on Motion of Mr. Johnston on 19th. November.
Ordered to be printed.
6. FINANCE 1851, 1852. The Financial Message No. 2, received from His Excellency the Lieutenant Governor on the 18th Instant, having been read on the motion of the Auditor General.
The Auditor General moved, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the consideration of the Estimates of Ways and Means, and probable Expenditure of the Colonial Government of Victoria for the year 1852, and Supplementary Estimate for the year 1851, accompanying the Message just "read."
Mr. Miller moved, That the Question be amended, by adding at the end thereof, the words, "And that it be an Instruction from this Council to the Committee, not to vote from the General Revenue any sum for additional Expenditure caused by the discovery of Gold Fields in the Colony of Victoria."
Debate ensued.
Question put, That the Question be amended as proposed.
Council divided.

Ayes 19.

MR. OSBORNE,
— WESTGARTH,
— W. F. SPLATT,
— GOLDSMITH,
— WILKINSON,
— ROBINSON,
— O'SHANASSY,
— FAWKNER,
— SMITH,
— STRACHAN,
— TURNBULL,
— JOHNSTON,
— RUSSELL,
— MERCER,
— DIGHT,
— SNODGRASS,
— RUTLEDGE,
— MURPHY,
— MILLER, (Teller.)

Noes 10.

MR. DUNLOP,
THE COLONIAL-SECRETARY,
— ATTORNEY-GENERAL,
— AUDITOR-GENERAL,
MR. GRIFFITH,
THE SOLICITOR-GENERAL,
— MASTER IN EQUITY,
MR. ROSS,
— CAMPBELL,
— HAINES, (Teller).

Original Question as so amended put ;
Council divided.

Ayes 19.

MR. OSBORNE,
— WESTGARTH,
— W. F. SPLATT,
— GOLDSMITH,
— WILKINSON,
— ROBINSON,
— O'SHANASSY,
— FAWKNER,
— SMITH,
— STRACHAN,
— TURNBULL,
— JOHNSTON,
— RUSSELL,
— MERCER,
— DIGHT,
— SNODGRASS,
— RUTLEDGE,
— MURPHY,
— MILLER, (Teller.)

Noes 10.

MR. DUNLOP,
THE COLONIAL-SECRETARY,
— ATTORNEY-GENERAL,
— AUDITOR-GENERAL,
MR. GRIFFITH,
THE SOLICITOR-GENERAL,
— MASTER IN EQUITY,
MR. ROSS,
— CAMPBELL,
— HAINES, (Teller.)

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.

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

7. WITHDRAWAL OF NOTICES OF MOTION :—

Dr. Murphy withdrew the Notice of Motion standing in his Name, No. 1 on the Notice Paper of to-day.

Mr. Wilkinson withdrew the Notice of Motion standing in his name, No. 2 on the Notice paper of to-day.

Council adjourned at Seven o'Clock until to-morrow at Three o'Clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, NOVEMBER 27.

ORDER OF THE DAY :—

The Lieutenant-Governor's Financial Message, No. 2, with the Estimates of the Ways and Means and Expenditure of 1852, and Supplementary Estimate for 1851, to be further considered in Committee.

FRIDAY, NOVEMBER 28.

NOTICES OF MOTION :—

1. MR. ROBINSON : To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
 - (1.) A Return of all Crown Lands that have been applied for to be put up for Public Sale, from the Foundation of Port Phillip till the last Government Land Sale, distinguishing the quantity sold and the sums it sold for, the quantity reserved, and the reasons (if any) for such reservation.
 - (2.) A Return showing the Amount of Deposits made for the Purchase of Land, from the Foundation of Port Phillip till the last Government Land Sale, distinguishing the sums deposited, under the Regulations of 22nd December, 1848, for the selection of Emigrants.
2. THE SOLICITOR-GENERAL : To move for leave to bring in a Bill to Regulate Distress.
3. MR. SPLATT : To move that this Council affirm the following resolutions :—
 - (1.) That this House is deeply impressed with the importance of safety to Human Life embarked in Passage and Emigrant Ships.
 - (2.) That it would tend greatly to the safety of life, and the comfort of Passengers, if Merchant Vessels were constructed on the same principles as Vessels of War, in the bottoms and sides of which the timbers are either closely united together, or the spaces between them are filled up, and they form a solid compact substance of wood with the outside and inside planks, obviously increasing the means of resisting danger in the vessels, whether it arises from leak, rock, or shoal: and by keeping the vessels dry internally, and the exclusion of bilge water adding to the preservation of health, and the comfort of Passengers and Emigrants embarked.
 - (3.) That Iron Steamers are divided into water tight compartments, by which means their resistance to danger arising from collision with other vessels as well as from leak, rock, or shoal, is greatly increased, and life is less exposed to danger in them than it is in Wooden, Passenger, or Emigrant Ships.

(4.) That this House do address Her Majesty, soliciting that Her Majesty would be pleased to order that Her Majesty's Government do take into consideration the necessity of having an Enactment passed to have Wooden Merchant Vessels constructed on similar principles to that of Vessels of the Royal Navy, and that all vessels hired by the State for the conveyance of Passengers or Emigrants, be on this construction.

(5.) That an Address be presented to His Excellency the Lieutenant-Governor embodying these Resolutions, accompanied with a respectful request that His Excellency will forward the same, together with a favorable recommendation from the Executive Government to Her Majesty the Queen.

ORDER OF THE DAY:—

1. Preservation of Ports Bill—Second reading.
2. Interpretation of Acts Bill—Second reading.

TUESDAY, DECEMBER 2.

NOTICES OF MOTION:—

1. MR. FAWKNER: To move that this House do take into consideration the question of Repealing the Act empowering the Licensed Occupants, and others, on Crown Lands, to impound Stock trespassing thereon, being the Act of the Legislature of New South Wales passed in the year 1850, and assented to by His Excellency the Lieutenant-Governor of the Colony, October 2, 1850; with leave to bring in a Bill to repeal this impounding Act, No. XLII.
2. MR. RUTLEDGE: To move for leave to bring in a Bill to amend the Act, 10 Victoria, No. 8, now in force for preventing the extension of the diseases called "The Scab" and "The Influenza" or "The Catarrh" in Sheep and Lambs in the Colony of New South Wales.

WEDNESDAY, DECEMBER 3.

Government Business.

ORDER OF THE DAY:—

1. Administration of Justice Bill—Second reading.

FRIDAY, DECEMBER 5.

NOTICES OF MOTION:—

1. MR. FAWKNER: To move that this Council do Address His Excellency the Lieutenant-Governor, praying him to take such measures, by Bill or otherwise, as will render the Gold, the produce of this Province, a Legal Tender, and embodying a proposition to establish an Assay Office, in which such Gold shall be cast into ingots, and duly stamped as of such fineness as it may prove, and in Bars of an ounce and its multiples, and to fix upon it a value at which it shall be taken in all the public offices of the Colony, and, if need be, declared a Legal Tender—say at Three Pounds Ten Shillings per ounce.

ORDERS OF THE DAY:—

1. Gunpowder Bill—Second reading.
2. Melbourne and Geelong Police Rate Suspension Bill—Second reading.
3. Conveyance of Real Property Bill—Second reading.
4. Education Commission Bill—Second reading.

J. F. PALMER,
Speaker.

No. 11.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

THURSDAY, 27th November, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. CUSTOMS REVENUE.—The Colonial-Secretary by command of His Excellency the Lieutenant-Governor, laid upon the Table the Return to the Address on this subject, adopted on the Motion of Mr. Rutledge, with amendment by Mr. Wilkinson, on the 25th November.
Ordered to be printed.
3. DENOMINATIONAL SCHOOL BOARD REPORT.—The Colonial Secretary, by Command of His Excellency the Lieutenant Governor, laid on the Table of this Council, The Report of the Denominational School Board on a General System of Education, with the Inspector's Report and Suggestions, and also a scheme of general Education founded thereon, as suggested by His Excellency the Lieutenant-Governor and Executive Council.
Ordered to be printed.
4. ESTIMATES FOR 1851-52.—On the Motion of the Auditor-General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the farther consideration of the Estimates of Ways and Means, and probable Expenditure of the Colonial Government of Victoria for the year 1852, and Supplementary Estimate for the year 1851, accompanying the Financial Message of His Excellency the Lieutenant-Governor on the 18th instant.

The Chairman reported progress, and obtained leave to sit again on Wednesday next.
Council adjourned at half-past Nine o'Clock until to-morrow at Three o'Clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, NOVEMBER 28.

NOTICES OF MOTION:—

1. MR. ROBINSON: To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
 - (1.) A Return of all Crown Lands that have been applied for to be put up for Public Sale, from the Foundation of Port Phillip till the last Government Land Sale, distinguishing the quantity sold and the sums it sold for, the quantity reserved, and the reasons (if any) for such reservation.
 - (2.) A Return showing the Amount of Deposits made for the Purchase of Land, from the Foundation of Port Phillip till the last Government Land Sale, distinguishing the sums deposited, under the Regulations of 22nd December, 1848, for the selection of Emigrants.
2. THE SOLICITOR-GENERAL: To move for leave to bring in a Bill to Regulate Distress.
3. MR. SPLATT: To move that this Council affirm the following resolutions:—
 - (1.) That this House is deeply impressed with the importance of safety to Human Life embarked in Passage and Emigrant Ships.
 - (2.) That it would tend greatly to the safety of life, and the comfort of Passengers, if Merchant Vessels were constructed on the same principles as Vessels of War, in the bottoms and sides of which the timbers are either closely united together, or the spaces between them are filled up, and they form a solid compact substance of wood with the outside and inside planks, obviously increasing the means of resisting danger in the vessels, whether it arises from leak, rock, or shoal: and by keeping the vessels dry internally, and the exclusion of bilge water adding to the preservation of health, and the comfort of Passengers and Emigrants embarked.
 - (3.) That Iron Steamers are divided into water tight compartments, by which means their resistance to danger arising from collision with other vessels as well as from leak, rock, or shoal, is greatly increased, and life is less exposed to danger in them than it is in Wooden, Passenger, or Emigrant Ships.
 - (4.) That this House do address Her Majesty, soliciting that Her Majesty would be pleased to order that Her Majesty's Government do take into consideration the necessity of having an Enactment passed to have Wooden Merchant Vessels constructed on similar principles to that of Vessels of the Royal Navy, and that all vessels hired by the State for the conveyance of Passengers or Emigrants, be on this construction.
 - (5.) That an Address be presented to His Excellency the Lieutenant-Governor embodying these Resolutions, accompanied with a respectful request that His Excellency will forward the same, together with a favorable recommendation from the Executive Government to Her Majesty the Queen.

4. MR. MURPHY: To move that this House, will on Friday, the 28th instant, resolve itself into a Committee of the whole House, to consider an Address to His Excellency the Lieutenant-Governor, praying that he will be pleased to place on the Supplementary Estimates for 1852, the sum of £300 towards defraying the expense of compiling Statistical Tables which may indicate the progress of the Colony in Population, Arts, and Industrial Pursuits, from its first settlement, and which may contain all other information likely to be valuable for purposes of reference to the future Historians of Victoria.

ORDERS OF THE DAY :—

1. Preservation of Ports Bill—Second reading.
2. Interpretation of Acts Bill—Second reading.

TUESDAY, DECEMBER 2.

NOTICES OF MOTION :—

1. MR. FAWKNER: To move that this House do take into consideration the question of Repealing the Act empowering the Licensed Occupants, and others, on Crown Lands, to impound Stock trespassing thereon, being the Act of the Legislature of New South Wales passed in the year 1850, and assented to by His Excellency the Lieutenant-Governor of the Colony, October 2, 1850; with leave to bring in a Bill to repeal this impounding Act, No. XLII.
2. MR. RUTLEDGE: To move for leave to bring in a Bill to amend the Act, 10 Victoria, No. 8, now in force for preventing the extension of the diseases called "The Scab" and "The Influenza" or "The Catarrh" in Sheep and Lambs in the Colony of New South Wales.
3. MR. CAMPBELL: To move that this House will resolve itself into a Committee of the whole House, to consider an Address to His Excellency the Lieutenant-Governor, praying that he will be pleased to place on the Supplementary Estimates for 1852, the sum of £500 for the purpose of establishing a Court of Petty Sessions at Yowang, on the Avoca, or at some other more convenient place in that locality.
4. MR. CAMPBELL: To move that this House will resolve itself into a Committee of the whole House, to consider an Address to His Excellency the Lieutenant Governor, praying that he will be pleased to place on the Supplementary Estimates for 1852, the sum of £500, for the purpose of establishing a Court of Petty Sessions at Johnson's Inn, on the Serpentine Creek.

WEDNESDAY, DECEMBER 3.

Government Business.

ORDERS OF THE DAY :—

1. Administration of Justice Bill—Second reading.
2. The Lieutenant Governor's Financial Message, No. 2, with the Estimates of the Ways and Means and Expenditure of 1852, and Supplementary Estimate for 1851, to be further considered in Committee.

Other Business.

NOTICES OF MOTION :—

1. MR. ROBINSON: To move that the Council resolve itself into a Committee of the whole, to consider the propriety of addressing the Lieutenant Governor, to place on the Estimates for 1852, a sum of £492 4s., to be applied towards the formation of a place of Recreation and Botanical Garden at Geelong. Also, The sum of Four thousand pounds towards the removal of the Bar at Corio Bay, Geelong.
2. MR. OSBORNE: To move that the House do resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to the Lieutenant Governor, praying that he will be pleased to place upon the Estimates for 1852, a sum of £50 for the Salary of an Assistant Surgeon at Belfast.

THURSDAY, DECEMBER 4.

NOTICE OF MOTION :—

1. MR. FAWKNER: To move for the Repeal of the Act intituled, "*An Act to exempt from Duties all Sales by Auction of Colonial Produce, and Sheep, Cattle, and Horses,*" assented to October 1, 1851, No. XXXIV, with leave to bring in a Bill to repeal the above recited Act.

FRIDAY, DECEMBER 5.

NOTICES OF MOTION :—

1. MR. FAWKNER : To move that this Council do Address His Excellency the Lieutenant-Governor, praying him to take such measures, by Bill or otherwise, as will render the Gold, the produce of this Province, a Legal Tender, and embodying a proposition to establish an Assay Office, in which such Gold shall be cast into ingots, and duly stamped as of such fineness as it may prove, and in Bars of an ounce and its multiples, and to fix upon it a value at which it shall be taken in all the public offices of the Colony, and, if need be declared a Legal Tender—say at Three Pounds Ten Shillings per ounce.
2. MR. GOLDSMITH : To move the following Resolutions :—That this House resolve itself into a Committee of the whole House to consider a Motion to the following effect :—
 - (1.) That this House is of opinion that the Funds now at the disposal of the Government for Immigration purposes are not sufficient to meet the exigencies of the labour market of this Colony.
 - (2.) That the present Financial State of the Country affords a favourable opportunity for the issue of debentures on the security of the Territorial Revenue, to, at the least, an amount of £100,000, for purposes of Immigration.
 - (3.) That an Address be presented to His Excellency the Lieutenant-Governor embodying the foregoing Resolutions, with a respectful request that he will please to forward the same with a favourable recommendation to Her Most Gracious Majesty the Queen.

ORDERS OF THE DAY :—

1. Gunpowder Bill—Second reading.
2. Melbourne and Geelong Police Rate Suspension Bill—Second reading.
3. Conveyance of Real Property Bill—Second reading.
4. Education Commission Bill—Second reading.

J. F. PALMER,
Speaker.

NOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

FRIDAY, 28th November, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. **STEAM COMMUNICATION WITH GREAT BRITAIN.**—Mr. Splatt, as Chairman, brought up the Report from the Select Committee appointed on the 21st instant, to consider the subject of Steam Communication to this Colony.
Ordered to be printed.
3. **DRAFT STANDING ORDERS.**—The Auditor-General, on behalf of the Speaker, as Chairman of the Committee appointed on the 14th instant to prepare such Standing Rules and Orders as shall appear best adapted for the orderly conduct of the business of this Council, brought up the Report and laid upon the Table the Draft Standing Rules and Orders as prepared by the Committee.
Ordered to be printed and taken into consideration in Committee of the whole House on Tuesday next, and that it be an instruction to such Committee to insert in such Standing Rules and Orders the Standing Order agreed to by the Council on the 26th instant.
4. **CROWN LANDS.**—Mr. Robinson moved, pursuant to Notice, That an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
 - (1.) A Return of all Crown Lands that have been applied for to be put up for Public Sale, from the Foundation of Port Phillip till the last Government Land Sale, distinguishing the quantity sold and the sums it sold for, the quantity reserved, and the reasons (if any) for such reservation.
 - (2.) A Return showing the Amount of Deposits made for the Purchase of Land, from the Foundation of Port Phillip till the last Government Land Sale, distinguishing the sums deposited, under the Regulations of 22nd December, 1848, for the selection of Emigrants.
 A part of the information sought to be obtained by the above Motion having been already acceded to, on the motion of Mr. O'Shanassy on the 25th Instant, the first part of the said motion was by leave of the Council withdrawn, and
 Question put—That an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return, showing the amount of Deposits made for the purchase of Land from the Foundation of Port Phillip till the last Government Land Sale, distinguishing the Sums deposited under the Regulations of 22nd December, 1848, for the selection of Emigrants, and carried.
 Address to be presented by the Speaker.
5. **DISTRESS BILL.**—The Solicitor-General moved, pursuant to notice, That he have leave to bring in a Bill to Regulate Distress.
Question put and passed.
Ordered that the mover and seconder prepare and bring in the Bill.
6. **EMIGRANT SHIPS.**—Mr. Splatt moved, pursuant to notice, "That this Council affirm the following resolutions :—
 - (1.) That this House is deeply impressed with the importance of safety to Human Life embarked in Passage and Emigrant Ships.
 - (2.) That it would tend greatly to the safety of life, and the comfort of Passengers, if Merchant Vessels were constructed on the same principles as Vessels of War, in the bottoms and sides of which the timbers are either closely united together, or the spaces between them are filled up, and they form a solid compact substance of wood with the outside and inside planks, obviously increasing the means of resisting danger in the vessels, whether it arises from leak, rock, or shoal: and by keeping the vessels dry internally, and the exclusion of bilge water adding to the preservation of health, and the comfort of Passengers and Emigrants embarked.
 - (3.) That Iron Steamers are divided into water tight compartments, by which means their resistance to danger arising from collision with other vessels as well as from leak, rock, or shoal, is greatly increased, and life is less exposed to danger in them than it is in Wooden, Passenger, or Emigrant Ships.
 - (4.) That this House do address Her Majesty, soliciting that Her Majesty would be pleased to order that Her Majesty's Government do take into consideration the necessity of having an Enactment passed to have Wooden Merchant Vessels constructed on similar principles to that of Vessels of the Royal Navy, and that all vessels hired by the State for the conveyance of Passengers or Emigrants, be on this construction.
 - (5.) That an Address be presented to His Excellency the Lieutenant-Governor embodying these Resolutions, accompanied with a respectful request that His Excellency will forward the same, together with a favorable recommendation from the Executive Government to Her Majesty the Queen.
 Debate ensued.

The Attorney-General moved as an Amendment, That the consideration of the subject contained in the above Resolutions be referred to a Select Committee of this Council, to consist of the Attorney-General, Mr. Splatt, Mr. Snodgrass, Mr. Johnston, Mr. Dunlop, and Mr. Russell, and that such Committee do take evidence, and meet on the 10th of December next.

Question put upon the amendment and carried.

7. WITHDRAWAL OF NOTICE OF MOTION.—Mr. Murphy withdrew the Notice of Motion standing in his name, No. 4 on the Notice Paper of to-day.
8. PRESERVATION OF PORTS AND PILOTAGE BILL.—The Solicitor-General moved that this Bill be now read a second time.

Debate ensued.

Question put, and Council divided.

Ayes 13.

THE COLONIAL SECRETARY,
— ATTORNEY GENERAL,
— SOLICITOR GENERAL,
— MASTER IN EQUITY,
MR. ROSS,
— O'SHANASSY,
— TURNBULL,
— SNODGRASS,
— SMITH,
— RUTLEDGE,
— DUNLOP,
THE AUDITOR GENERAL,
MR. MURPHY (Teller).

Noes 6.

MR. MILLER,
— OSBORNE,
— ROBINSON,
— JOHNSTON,
— WILKINSON,
— SPLATT (Teller).

Ordered that the Bill be considered in Committee on Friday next.

9. INTERPRETATION OF ACTS BILL.—The Attorney General moved that this Bill be now read a second time.

Bill read a second time, to be considered in Committee on Tuesday next.

10. DISTRESS BILL.—The Solicitor General having presented a Bill to Regulate Distress and Proceedings therein.

Bill read a first time, ordered to be printed, and read a second time on Tuesday next.

Council adjourned at 10 Minutes past Six o'Clock until Tuesday at Three o'Clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, DECEMBER 2.

NOTICES OF MOTION :—

1. MR. FAWKNER : To move that this House do take into consideration the question of Repealing the Act empowering the Licensed Occupants, and others, on Crown Lands, to impound Stock trespassing thereon, being the Act of the Legislature of New South Wales passed in the year 1850, and assented to by His Excellency the Lieutenant-Governor of the Colony, October 2, 1850 ; with leave to bring in a Bill to repeal this impounding Act, No. XLII.
2. MR. RUTLEDGE : To move for leave to bring in a Bill to amend the Act, 10 Victoria, No. 8, now in force for preventing the extension of the diseases called "The Scab" and "The Influenza" or "The Catarrh" in Sheep and Lambs in the Colony of New South Wales.
3. MR. CAMPBELL : To move that this House will resolve itself into a Committee of the whole House, to consider an Address to His Excellency the Lieutenant-Governor, praying that he will be pleased to place on the Supplementary Estimates for 1852, the sum of £500 for the purpose of establishing a Court of Petty Sessions at Yowang, on the Avoca, or at some other more convenient place in that locality.
4. MR. CAMPBELL : To move that this House will resolve itself into a Committee of the whole House, to consider an Address to His Excellency the Lieutenant Governor, praying that he will be pleased to place on the Supplementary Estimates for 1852, the sum of £500, for the purpose of establishing a Court of Petty Sessions at Johnson's Inn, on the Serpentine Creek.
5. MR. SPLATT : To move that the Report of the Steam Communication Committee be taken into consideration, and adopted by this Council, and that thereupon this House do resolve itself into a Committee of the whole, for the purpose of presenting an Address to His Excellency the Lieutenant-Governor, praying that he will cause to be placed on the Estimates for 1852 the sum of £3000, and that His Excellency will be pleased to forward an Address embodying these Resolutions to the Secretary of State for the Colonies, accompanied by the favourable recommendation of the Executive Government.
6. MR. RUSSELL : To move for leave to bring in a Bill to Incorporate the City of Melbourne Gas and Coke Company : and at the same time to propose that Standing Orders Nos. 36 and 37 be suspended, with a view to enable him to bring in the said Bill.

ORDERS OF THE DAY:—

1. STANDING RULES AND ORDERS.—That this Council resolve itself into a Committee of the whole, to consider the Draft Standing Rules and Orders, and that it be an Instruction to such Committee to insert in such Standing Rules and Orders the Standing Order agreed to by the Council on the 26th November instant.
2. Interpretation of Acts Bill—To be considered in Committee.
3. Distress Bill—Second reading.

 WEDNESDAY, DECEMBER 3.
Government Business.

ORDERS OF THE DAY:—

1. Administration of Justice Bill—Second reading.
2. The Lieutenant Governor's Financial Message, No. 2, with the Estimates of the Ways and Means and Expenditure of 1852, and Supplementary Estimate for 1851, to be further considered in Committee.

Other Business.

NOTICES OF MOTION:—

1. MR. ROBINSON : To move that the Council resolve itself into a Committee of the whole, to consider the propriety of addressing the Lieutenant Governor, to place on the Estimates for 1852, a sum of £492 4s., to be applied towards the formation of a place of Recreation and Botanical Garden at Geelong. Also,
The sum of Four thousand pounds towards the removal of the Bar at Corio Bay, Geelong.
2. MR. OSBORNE : To move that the House do resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to the Lieutenant Governor, praying that he will be pleased to place upon the Estimates for 1852, a sum of £50 for the Salary of an Assistant Surgeon at Belfast.

 THURSDAY, DECEMBER 4.

NOTICE OF MOTION:—

1. MR. FAWKNER : To move for the Repeal of the Act intituled, "*An Act to exempt from Duties all Sales by Auction of Colonial Produce, and Sheep, Cattle, and Horses,*" assented to October 1, 1851, No. XXXIV, with leave to bring in a Bill to repeal the above recited Act.

 FRIDAY, DECEMBER 5.

NOTICES OF MOTION:—

1. MR FAWKNER : To move that this Council do Address His Excellency the Lieutenant-Governor, praying him to take such measures, by Bill or otherwise, as will render the Gold, the produce of this Province, a Legal Tender, and embodying a proposition to establish an Assay Office, in which such Gold shall be cast into ingots, and duly stamped as of such fineness as it may prove, and in Bars of an ounce and its multiples, and to fix upon it a value at which it shall be taken in all the public offices of the Colony, and, if need be declared a Legal Tender—say at Three Pounds Ten Shillings per ounce.
2. MR. GOLDSMITH : To move the following Resolutions:—That this House resolve itself into a Committee of the whole House to consider a Motion to the following effect:—
 - (1.) That this House is of opinion that the Funds now at the disposal of the Government for Immigration purposes are not sufficient to meet the exigencies of the labour market of this Colony.
 - (2.) That the present Financial State of the Country affords a favourable opportunity for the issue of debentures on the security of the Territorial Revenue, to, at the least, an amount of £100,000, for purposes of Immigration.
 - (3.) That an Address be presented to His Excellency the Lieutenant-Governor embodying the foregoing Resolutions, with a respectful request that he will please to forward the same with a favourable recommendation to Her Most Gracious Majesty the Queen.

ORDERS OF THE DAY:—

1. Gunpowder Bill—Second reading.
2. Melbourne and Geelong Police Rate Suspension Bill—Second reading.
3. Conveyance of Real Property Bill—Second reading.
4. Education Commission Bill—Second reading.
5. Preservation of Ports and Pilotage Bill—To be considered in Committee.

J. F. PALMER,
Speaker.

No. 13.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,
TUESDAY, 2nd December, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. FINANCE.—The following Message from His Excellency the Lieutenant-Governor was received and read by the Speaker :—

C. J. LA TROBE,
LIEUTENANT-GOVERNOR.

Message, No. 5.

Referring to the Estimates of future Expenditure, accompanying the Financial Minute laid before the Legislative Council of the Colony on the 18th ultimo, The Lieutenant-Governor considers it his imperative duty to draw the attention of the Council to the fact, that these Estimates framed at a time when it was quite impossible to estimate the influence which existing circumstances exercise upon the price of labour, cannot be held to provide in every instance for a due discharge of the Public Service.

The Lieutenant Governor would therefore submit to the Council, the propriety of sanctioning such advance in the rates of pay for the undermentioned classes of subordinate officers, as may at least place the Executive Government in a position to ensure that the Public Service is not subjected to any very great embarrassment

At the same time that the Council must exercise its discretion in deciding, whether the rate of remuneration herein proposed is reasonable and should be sanctioned, it must be fully aware, that the Lieutenant Governor cannot confidently state, that even this advance will be found sufficient to ensure the object in view.

	Present rate	Proposed rate
Boatmen	3s. per diem	5s. per diem
Constables	3s. 3d. do	5s. do
Messengers	2s. 6d. do	4s. do
Flagstaff and Telegraph Keeper.....	3s. do	4s. do
Labourers—Botanic Garden	21s. per week	4s. do
Turnkeys	4s. per diem	5s. do
Mounted Troopers	3s. 3d. do	6s. do
Letter Carriers	4s. do	6s. do

Government Offices,
Melbourne, 2nd December, 1851.

Ordered to be printed and taken into the consideration of the Council to-morrow.

3. ADDRESSES.—The Speaker announced to the Council that he had pursuant to the Resolutions of this Council, presented the following Addresses to His Excellency the Lieutenant-Governor, viz. :—
- No. 6.—*Waste Lands*.—Adopted on the 25th November, on the motion of Mr. O'Shanassy.
- No. 7.—*Immigration*.—Adopted on the 25th November, on the motion of Mr. O'Shanassy,
And that His Excellency had in reply to such Addresses been pleased to state that he would cause these Returns to be furnished whenever practicable.
- No. 8.—*South Australian Boundary*.—Adopted on the 25th November, on the motion of Mr. Wilkinson,
And that His Excellency had in reply to such Address been pleased to state that he would give the Council any information on the subject in his power.
- No. 9.—*Customs Revenue*.—Adopted on the 25th November on the motion of Mr. Rutledge,
And that His Excellency had in reply to such Address been pleased to state that he would cause the Return prayed for to be laid upon the Table of the Council.
- No. 10.—*Harbour Master*.—Adopted on the 25th November, on the motion of Mr. Rutledge,
And that His Excellency had in reply to such Address been pleased to state that he would cause a copy of the documents referred to in the Address, to be laid on the Table of the Council.

No. 11.—*Penal Establishment Pentridge*.—Adopted on the 25th November, on the motion of Mr. Westgarth,

And that His Excellency had in reply to such Address been pleased to state that he would do all in his power to comply with the wishes of the Council.

No. 12.—*Land Sales*.—Adopted on the 28th November, on the motion of Mr. Robinson, And that His Excellency had in reply to such Address been pleased to state that he would cause the Return prayed for to be laid upon the Table of the Council.

4. **IMPOUNDING ACT REPEAL BILL**.—Mr. Fawkner pursuant to notice moved—"That" this House do take into consideration the question of Repealing the Act empowering the Licensed Occupants, and others, on Crown Lands, to impound Stock trespassing thereon, being the Act of the Legislature of New South Wales passed in the year 1850, and assented to by His Excellency the Lieutenant-Governor of the Colony, October 2, 1850; and that he have leave to bring in a Bill to repeal this impounding Act, No. XLII.

Mr. O'Shanassy moved as an Amendment, That all the words after the word "that" to and inclusive of the word "do," be omitted, with a view to insert in their place the words "a Select Committee consisting of Mr. Fawkner, Mr. Strachan, Mr. Johnston, Mr. Robinson, Mr. Miller, Mr. Snodgrass, Mr. Dunlop, Mr. Griffith, and Mr. O'Shanassy, be appointed to"

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.

Mr. SPLATT required that the Select Committee be appointed by Ballot.

The Council then proceeded to the Ballot, and the following Members were declared to have the greatest number of Votes, and to be with the Mover, the Committee duly appointed, viz:—Mr. Dunlop, Mr. Griffith, Mr. Fawkner, Mr. Haines, Mr. Murphy, Mr. Osborne, Mr. Splatt, Mr. Campbell.

5. **SCAB AND CATARRH ACT AMENDMENT BILL**.—Mr. Rutledge having pursuant to Notice, moved for and obtained leave to bring in a Bill to amend "An Act passed in the tenth year of the "Reign of Her present Majesty, intituled, 'An Act to consolidate and amend "the laws now in force for preventing the extension of the diseases called, The Scab "and the Influenza, Catarrh in Sheep and Lambs in the Colony of New South Wales.'" Bill presented and read a first time.

Mr. RUTLEDGE then moved that the Bill be printed and read a second time this day "week."

Mr. FAWKNER moved, that the word "week" be omitted, with a view to insert the word "fortnight."

Question put, that the word proposed to be omitted stand part of the question—and carried.

The original question—put and carried.

6. **Address for Petty Sessions at Yowang**. On the motion of Mr. Campbell, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, to consider an Address to His Excellency the Lieutenant Governor, praying that he will be pleased to place on the Supplementary Estimates for 1852, the sum of £500, for the purpose of establishing a Court of Petty Sessions at "Yowang" on the Avoca, or at some other convenient place in that locality.

The Chairman reported progress.

7. **WITHDRAWAL OF NOTICE OF MOTION**.—Mr. Campbell withdrew the Notice of Motion standing in his name, No. 4 on the Notice Paper of to-day.
8. **POSTPONEMENT OF NOTICE OF MOTION**.—Mr. Splatt with leave of the Council, postponed the motion standing in his name as No. 5, on the Notice Paper of to-day, until Friday the 5th Instant.
9. **SUSPENSION OF STANDING ORDERS**.—Mr. Russell moved pursuant to Notice, That the Standing Orders Nos. 36 and 37 be suspended, in order to his moving for leave to bring in "A Bill to Incorporate the City of Melbourne Gas and Coke Company."

Debate ensued.

Question put and Council divided.

Ayes 16.

THE COLONIAL SECRETARY,
— ATTORNEY GENERAL,
— SOLICITOR GENERAL,
— MASTER IN EQUITY,
— AUDITOR GENERAL,
Mr. ROSS,
— SNODGRASS,
— TURNBULL,
— DIGHT,
— SMITH,
— JOHNSTON,
— RUSSELL,
— DUNLOP,
— MILLER,
— WESTGARTH,
— SPLATT (Teller).

Noes 12.

MR. OSBORNE,
— O'SHANASSY,
— WILKINSON,
— FAWKNER,
— ROBINSON,
— GRIFFITH,
— STRACHAN,
— CAMPBELL,
— RUTLEDGE,
— HAINES,
— MURPHY,
— MERCER, (Teller.)

MELBOURNE GAS AND COKE COMPANY.—Mr. Russell, with leave of the Council, moved the postponement of the 1st. portion of the Notice standing in his name, as No. 6 on the Notice Paper of to-day, being for leave to bring in a Bill to Incorporate the City of Melbourne Gas and Coke Company, until Friday, the 5th. instant.

10. POSTPONEMENT.—On the Motion of the Auditor-General, the following Order of the Day was postponed until Friday next :—

Standing Rules and Orders.—That this Council resolve itself into a Committee of the whole, to consider the Draft Standing Rules and Orders, and that it be an Instruction to such Committee to insert in such Standing Rules and Orders the Standing Order agreed to by the Council on the 26th November instant.

11. INTERPRETATION OF ACTS BILL.—On the Motion of the Attorney-General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.

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

12. POSTPONEMENT.—On the Motion of the Solicitor-General the following Order of the Day was postponed until Friday next :—

Distress Bill—Second reading.

Council adjourned at a quarter past Seven o'Clock until Three o'Clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, DECEMBER 3.

Government Business.

ORDERS OF THE DAY :—

1. Administration of Justice Bill—Second reading.
2. The Lieutenant Governor's Financial Message, No. 2, with the Estimates of the Ways and Means and Expenditure of 1852, and Supplementary Estimate for 1851, to be further considered in Committee.
3. Finance Message, No. 5.—From His Excellency the Lieutenant-Governor, for consideration.

Other Business.

NOTICES OF MOTION :—

1. MR. ROBINSON : To move that the Council resolve itself into a Committee of the whole, to consider the propriety of addressing the Lieutenant Governor, to place on the Estimates for 1852, a sum of £492 4s., to be applied towards the formation of a place of Recreation and Botanical Garden at Geelong. Also,
The sum of Four thousand pounds towards the removal of the Bar at Corio Bay, Geelong.
2. MR. OSBORNE : To move that the House do resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to the Lieutenant Governor, praying that he will be pleased to place upon the Estimates for 1852, a sum of £50 for the Salary of an Assistant Surgeon at Belfast.

THURSDAY, DECEMBER 4.

Government Business.

NOTICES OF MOTION :—

1. THE ATTORNEY-GENERAL : To move for leave to bring in a Bill to amend an Act to consolidate and amend the Laws relating to the licensing of Public Houses, and to regulate the Sale of Fermented and Spirituous Liquors in New South Wales.
2. THE ATTORNEY-GENERAL : To move for leave to bring in a Bill to amend " An Act for the prevention of Vagrancy, and for the punishment of idle and disorderly persons, rogues, and vagabonds, and incorrigible rogues, in the Colony of New South Wales."

Other Business.

NOTICES OF MOTION :—

3. MR. FAWKNER : To move for the Repeal of the Act intituled, " An Act to exempt from Duties all Sales by Auction of Colonial Produce, and Sheep, Cattle, and Horses," assented to October 1, 1851, No. xxxiv, with leave to bring in a Bill to repeal the above recited Act.
4. MR. WESTGARTH : To move that this House do resolve itself into a Committee of the whole, to consider the propriety of addressing the Lieutenant-Governor to place upon the Estimates for the year 1852, a sum not exceeding Five hundred pounds for repairs to the Wharves of this Town.

FRIDAY, DECEMBER 5.

NOTICES OF MOTION :—

1. MR. FAWKNER : To move that this Council do Address His Excellency the Lieutenant-Governor, praying him to take such measures, by Bill or otherwise, as will render the Gold, the produce of this Province, a Legal Tender, and embodying a proposition to establish an Assay Office, in which such Gold shall be cast into ingots, and duly stamped as of such

- fineness as it may prove, and in Bars of an ounce and its multiples, and to fix upon it a value at which it shall be taken in all the public offices of the Colony, and, if need be declared a Legal Tender—say at Three Pounds Ten Shillings per ounce.
2. **MR. GOLDSMITH:** To move the following Resolutions:—That this House resolve itself into a Committee of the whole House to consider a Motion to the following effect:—
 - (1.) That this House is of opinion that the Funds now at the disposal of the Government for Immigration purposes are not sufficient to meet the exigencies of the labour market of this Colony.
 - (2.) That the present Financial State of the Country affords a favourable opportunity for the issue of debentures on the security of the Territorial Revenue, to, at the least, an amount of £100,000, for purposes of Immigration.
 - (3.) That an Address be presented to His Excellency the Lieutenant-Governor embodying the foregoing Resolutions, with a respectful request that he will please to forward the same with a favourable recommendation to Her Most Gracious Majesty the Queen.
 3. **MR. STRACHAN:** To move that the Council resolve itself into a Committee of the whole, to consider the propriety of addressing His Excellency the Lieutenant-Governor, to place on the Estimates for 1852:

The sum of two thousand pounds for repairing the Road from Geelong to Bates' Ford.

The sum of five hundred pounds for the erection of Two Bridges near the Western Gulley at Geelong.

The sum of two hundred and twenty-five pounds for the Salary of the Postmaster, Geelong, being an additional sum of sixty pounds to that now placed on the Estimates.

The sum of one hundred and twenty pounds for the erection of a Signal Staff at Shortland's Bluff, and for the purchase of Flags.

An increase of one thousand pounds for forming the approaches to the Queen's Wharves, Geelong.

A sum of fifty pounds, in addition to the amount of one hundred and fifty pounds at present placed on the Estimates, for the Salary of the Assistant Harbour Master, Melbourne.
 4. **MR. OSBORNE:** To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to reserve a portion of the Land between the Moyne River and the Port Fairy Bay, as a place for public recreation.
 5. **MR. OSBORNE:**—To move that the Council do resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Lieutenant-Governor praying that he will be pleased to place upon the Estimates for 1852, the sum of six hundred pounds, for removing the Port Fairy Bar.
 6. **MR. SPLATT:** To move that the Report of the Steam Communication Committee be taken into consideration, and adopted by this Council, and that thereupon this House do resolve itself into a Committee of the whole, for the purpose of presenting an Address to His Excellency the Lieutenant-Governor, praying that he will cause to be placed on the Estimates for 1852 the sum of £3000, and that His Excellency will be pleased to forward an Address embodying these Resolutions to the Secretary of State for the Colonies, accompanied by the favourable recommendation of the Executive Government.
 7. **MR. RUSSELL:** To move for leave to bring in "A Bill to incorporate the City of Melbourne Gas and Coke Company."

ORDERS OF THE DAY:—

1. Gunpowder Bill—Second reading.
2. Melbourne and Geelong Police Rate Suspension Bill—Second reading.
3. Conveyance of Real Property Bill—Second reading.
4. Education Commission Bill—Second reading.
5. Preservation of Ports and Pilotage Bill—To be considered in Committee.
6. **STANDING RULES AND ORDERS.**—That this Council resolve itself into a Committee of the whole, to consider the Draft Standing Rules and Orders, and that it be an Instruction to such Committee to insert in such Standing Rules and Orders the Standing Order agreed to by the Council on the 26th November instant.
7. Interpretation of Acts Bill—Third reading.
8. Distress Bill—Second reading.

TUESDAY, DECEMBER 9.

NOTICE OF MOTION:—

1. **MR. GRIFFITH:** To move for leave to bring in a Bill for preventing the extension of the disease called Catarrh, and for levying an Assessment on Sheep.

ORDER OF THE DAY:—

1. Scab and Catarrh Act amendment Bill—Second reading.

J. F. PALMER,
Speaker.

No. 14.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

WEDNESDAY, 3rd December, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. **BRIDGE OVER THE DEEP CREEK.**—Mr. O'Shanassy presented a Petition from certain Landowners, Settlers, and others resident between Melbourne, the Campaspie, Loddou, Wimmera, &c., praying that this Council will cause to be appropriated out of the amount already upon the Estimates, a sum sufficient to erect a substantial Bridge across the Deep Creek in the Village of Bulla Bulla.
Petition received.
3. **POSTPONEMENTS:**
 - (1.) On the Motion of the Attorney-General the Second Reading of the Administration of Justice Bill, postponed till Friday next.
 - (2.) On the Motion of the Colonial Secretary, the consideration of the Second Order of the Day was postponed till after the consideration of the 3rd Order of the day.
4. **LIEUTENANT GOVERNOR'S MESSAGE, No. 5.**—On Motion of the Colonial Secretary, the Lieutenant Governor's Message No. 5, received on 2nd Instant, read and referred for consideration to the Committee of the whole on the Estimates.
5. **Estimates for 1851, 1852.** On the Motion of the Auditor General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of the Estimates of Ways and Means, and probable Expenditure of the Colonial Government of Victoria for the year 1852, and Supplementary Estimate for the year 1851, accompanying the Financial Message of His Excellency the Lieutenant Governor on the 18th Instant.
The Chairman reported progress and obtained leave to sit again.
6. **PROPOSED ADDITIONAL RATES OF PAY TO BOATMEN AND OTHERS**—The Auditor-General moved "That" it be an instruction to the Committee on the Estimates, to consider the rates proposed in His Excellency the Lieutenant-Governor's Message, No. 5, in lieu of those set forth in the Estimates.
Debate ensued.
Mr. Westgarth moved as an amendment, that all the words after the word "That" be omitted, with a view to insert in their place the words "this House with reference to His Excellency's Message, No. 5, without denying the necessity that has just arisen for the increased payments therein recommended, declines to entertain this subject, and leaves to the Executive Government to provide for the Public Service under any present or future exigency, bringing in afterwards a Supplementary Estimate, which Estimate this Council will entertain at the proper time.
Debate ensued.
Question, that the words proposed to be omitted stand part of the question;
Put and negatived.
Question, that the words proposed to be inserted in the place of the words omitted be so inserted;
Put and passed.
Question, that the Motion as amended be put—
Council divided.

Ayes 12.

MR. OSBORNE,
— JOHNSTON,
— O'SHANASSY,
— FAWKNER,
— ROBINSON,
— WILKINSON,
— TURNBULL,
— DIGHT,
— MILLER,
— WESTGARTH,
— STRACHAN,
— MURPHY, (Teller.)

Noes 17.

THE ATTORNEY GENERAL,
— AUDITOR GENERAL,
— COLONIAL SECRETARY,
— MASTER IN EQUITY,
— SOLICITOR GENERAL,
MR. HAINES,
— GOLDSMITH,
— GRIFFITH,
— ROSS,
— SMITH,
— SNODGRASS,
— CAMPBELL,
— DUNLOP,
— MERCER,
— RUTLEDGE,
— RUSSELL,
— SPLATT, (Teller.)

7. ESTIMATES FOR 1851-1852.—On the Motion of the Auditor General, the Speaker left the Chair and the Council again resolved itself into a Committee of the whole, for the further consideration of the Estimates of Ways and Means, and probable Expenditure of the Colonial Government of Victoria for the year 1852, and Supplementary Estimate for the year 1851, accompanying the Financial Message of His Excellency the Lieutenant Governor on the 18th Instant, and the consideration of the rates proposed in His Excellency the Lieutenant Governor's Message, No. 5, in lieu of those set forth in the Estimates.
- The Chairman reported progress, and obtained leave to sit again to-morrow.
8. POSTPONEMENTS OF NOTICES OF MOTION.—Mr. Robinson postponed the Motion standing in his name as No. 1 on the Notice Paper of to-day, until Friday next.
- Mr. Osborne postponed the Motion standing in his name as No. 2 on the Notice Paper of to-day, until Friday next.
- Council adjourned at half-past 10 until 3 o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, DECEMBER 4.

Government Business.

NOTICES OF MOTION :—

1. THE ATTORNEY-GENERAL: To move for leave to bring in a Bill to amend an Act to consolidate and amend the Laws relating to the licensing of Public Houses, and to regulate the Sale of Fermented and Spirituous Liquors in New South Wales.
2. THE ATTORNEY-GENERAL: To move for leave to bring in a Bill to amend "An Act for the prevention of Vagrancy, and for the punishment of idle and disorderly persons, rogues, and vagabonds, and incorrigible rogues, in the Colony of New South Wales."

ORDER OF THE DAY :—

ESTIMATES FOR 1851-1852.—To be further considered in Committee.

Other Business.

NOTICES OF MOTION :—

3. MR. FAWKNER: To move for the Repeal of the Act intituled, "*An Act to exempt from Duties all Sales by Auction of Colonial Produce, and Sheep, Cattle, and Horses,*" assented to October 1, 1851, No. XXXIV, with leave to bring in a Bill to repeal the above recited Act.
4. MR. WESTGARTH: To move that this House do resolve itself into a Committee of the whole, to consider the propriety of addressing the Lieutenant-Governor to place upon the Estimates for the year 1852, a sum not exceeding Five hundred pounds for repairs to the Wharves of this Town.
5. MR. O'SHANASSY: To move that the Petition of the Landowners, Settlers, and others resident between Melbourne, the Campaspie, Loddon, Wimmera, &c., be referred to the Select Committee on Roads and Bridges, appointed by this House on 25th November last.

FRIDAY, DECEMBER 5.

NOTICES OF MOTION :—

1. MR. FAWKNER: To move that this Council do Address His Excellency the Lieutenant-Governor, praying him to take such measures, by Bill or otherwise, as will render the Gold, the produce of this Province, a Legal Tender, and embodying a proposition to establish an Assay Office, in which such Gold shall be cast into ingots, and duly stamped as of such fineness as it may prove, and in Bars of an ounce and its multiples, and to fix upon it a value at which it shall be taken in all the public offices of the Colony, and, if need be declared a Legal Tender—say at Three Pounds Ten Shillings per ounce.
2. MR. GOLDSMITH: To move the following Resolutions :—That this House resolve itself into a Committee of the whole House to consider a Motion to the following effect :—
 - (1.) That this House is of opinion that the Funds now at the disposal of the Government for Immigration purposes are not sufficient to meet the exigencies of the labour market of this Colony.
 - (2.) That the present Financial State of the Country affords a favourable opportunity for the issue of debentures on the security of the Territorial Revenue, to, at the least, an amount of £100,000, for purposes of Immigration.
 - (3.) That an Address be presented to His Excellency the Lieutenant-Governor embodying the foregoing Resolutions, with a respectful request that he will please to forward the same with a favourable recommendation to Her Most Gracious Majesty the Queen.
3. MR. STRACHAN: To move that the Council resolve itself into a Committee of the whole, to consider the propriety of addressing His Excellency the Lieutenant-Governor, to place on the Estimates for 1852:

The sum of two thousand pounds for repairing the Road from Geelong to Bates' Ford.

The sum of five hundred pounds for the erection of Two Bridges near the Western Gully at Geelong.

The sum of two hundred and twenty-five pounds for the Salary of the Postmaster, Geelong, being an additional sum of sixty pounds to that now placed on the Estimates.

The sum of one hundred and twenty pounds for the erection of a Signal Staff at Shortland's Bluff, and for the purchase of Flags.

An increase of one thousand pounds for forming the approaches to the Queen's Wharves, Geelong.

A sum of fifty pounds, in addition to the amount of one hundred and fifty pounds at present placed on the Estimates, for the Salary of the Assistant Harbour Master, Melbourne.

4. MR. OSBORNE: To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to reserve a portion of the Land between the Moyne River and the Port Fairy Bay, as a place for public recreation.
5. MR. OSBORNE:—To move that the Council do resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Lieutenant-Governor praying that he will be pleased to place upon the Estimates for 1852, the sum of six hundred pounds, for removing the Port Fairy Bar.
6. MR. SPLATT: To move that the Report of the Steam Communication Committee be taken into consideration, and adopted by this Council, and that thereupon this House do resolve itself into a Committee of the whole, for the purpose of presenting an Address to His Excellency the Lieutenant-Governor, praying that he will cause to be placed on the Estimates for 1852 the sum of £3000, and that His Excellency will be pleased to forward an Address embodying these Resolutions to the Secretary of State for the Colonies, accompanied by the favourable recommendation of the Executive Government.
7. MR. RUSSELL: To move for leave to bring in "A Bill to incorporate the City of Melbourne Gas and Coke Company."
8. MR. ROBINSON: To move that the Council resolve itself into a Committee of the whole, to consider the propriety of addressing the Lieutenant-Governor, to place on the Estimates for 1852, a sum of £492 4s., to be applied towards the formation of a place of Recreation and Botanical Garden at Geelong. Also, The sum of Four thousand pounds towards the removal of the Bar at Corio Bay, Geelong.
9. MR. OSBORNE: To move that the House do resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to the Lieutenant-Governor, praying that he will be pleased to place upon the Estimates for 1852, a sum of £50 for the Salary of an Assistant Surgeon at Belfast.

ORDERS OF THE DAY:—

1. Gunpowder Bill—Second reading.
2. Melbourne and Geelong Police Rate Suspension Bill—Second reading.
3. Conveyance of Real Property Bill—Second reading.
4. Education Commission Bill—Second reading.
5. Preservation of Ports and Pilotage Bill—To be considered in Committee.
6. STANDING RULES AND ORDERS.—That this Council resolve itself into a Committee of the whole, to consider the Draft Standing Rules and Orders, and that it be an Instruction to such Committee to insert in such Standing Rules and Orders the Standing Order agreed to by the Council on the 26th November instant.
7. Interpretation of Acts Bill—Third reading.
8. Distress Bill—Second reading.
9. Administration of Justice Bill—Second reading.

TUESDAY, DECEMBER 9.

NOTICE OF MOTION:—

1. MR. GRIFFITH: To move for leave to bring in a Bill for preventing the extension of the disease called Catarrh, and for levying an Assessment on Sheep.

ORDER OF THE DAY:—

1. Scab and Catarrh Act amendment Bill—Second reading.

J. F. PALMER,

Speaker.

No. 15.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,
THURSDAY, 4th December, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. **PUBLIC HOUSE LICENSING ACT AMENDMENT BILL:** The Attorney-General moved pursuant to Notice, that he have leave to bring in a Bill to amend "An Act to consolidate and amend the Laws relating to the licensing of Public Houses, and to regulate the Sale of Fermented and Spirituous Liquors in New South Wales.
Question put and passed.
Ordered that the Mover and Seconder prepare and bring in the Bill.
3. **VAGRANCY ACT AMENDMENT BILL:** The Attorney General moved pursuant to Notice, that he have leave to bring in a Bill to amend "An Act for the prevention of Vagrancy, and for the punishment of idle and disorderly persons, rogues, and vagabonds, and incorrigible rogues, in the Colony of New South Wales."
Question put and passed.
Ordered that the Mover and Seconder prepare and bring in the Bill.
4. **POSTAGE ACT AMENDMENT BILL:** The Attorney General having presented a Bill to alter the Act to establish an uniform Rate of Postage, and to consolidate and amend the Law for the conveyance and Postage of Letters.
Bill read a first time and ordered to be printed and read a second time this day week.
5. **HARBOUR MASTER:** The Colonial Secretary by Command of His Excellency the Lieutenant Governor, laid upon the Table the return to the Address on this subject, adopted on the Motion of Mr. Rutledge on the 25th November, 1851.
6. **ESTIMATES FOR 1851-1852.**—On the Motion of the Auditor General, the Speaker left the Chair and the Council resolved itself into a Committee of the whole, for the further consideration of the Estimates of Ways and Means, and probable Expenditure of the Colonial Government of Victoria for the year 1852, and Supplementary Estimate for the year 1851, accompanying the Financial Message of His Excellency the Lieutenant Governor on the 18th November, and the consideration of the rates proposed in His Excellency the Lieutenant Governor's Message, No. 5, in lieu of those set forth in the Estimates.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
7. **POSTPONEMENTS OF NOTICES OF MOTION.**
 1. Mr. Fawcner postponed the Motion standing in his name, No. 3 on the Notice Paper of to-day, until the 12th instant.
 2. Mr. Westgarth postponed the Motion standing in his name, No. 4 on the Notice Paper of to-day, until to-morrow.
8. **DEEP CREEK BRIDGE PETITION.**—Mr. O'SHANASSAY moved pursuant to Notice, that the Petition presented yesterday by him from the Landowners, Settlers, and others resident between Melbourne, the Campaspic, Loddon, Wimmera, &c., be referred to the Select Committee on Roads and Bridges, appointed by this House on 25th November last.
Question put and passed.
Council adjourned at 10 o'clock until 3 o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, DECEMBER 5.

NOTICES OF MOTION :—

1. **MR. FAWKNER:** To move that this Council do Address His Excellency the Lieutenant-Governor, praying him to take such measures, by Bill or otherwise, as will render the Gold, the produce of this Province, a Legal Tender, and embodying a proposition to establish an Assay Office, in which such Gold shall be cast into ingots, and duly stamped as of such fineness as it may prove, and in Bars of an ounce and its multiples, and to fix upon it a value at which it shall be taken in all the public offices of the Colony, and, if need be declared a Legal Tender—say at Three Pounds Ten Shillings per ounce.
2. **MR. GOLDSMITH:** To move the following Resolutions :—That this House resolve itself into a Committee of the whole House to consider a Motion to the following effect :—
 - (1.) That this House is of opinion that the Funds now at the disposal of the Government for Immigration purposes are not sufficient to meet the exigencies of the labour market of this Colony.
 - (2.) That the present Financial State of the Country affords a favourable opportunity for the issue of debentures on the security of the Territorial Revenue, to, at the least, and amount of £100,000, for purposes of Immigration.

- (3.) That an Address be presented to His Excellency the Lieutenant-Governor embodying the foregoing Resolutions, with a respectful request that he will please to forward the same with a favourable recommendation to Her Most Gracious Majesty the Queen.
3. MR. STRACHAN: To move that the Council resolve itself into a Committee of the whole, to consider the propriety of addressing His Excellency the Lieutenant-Governor, to place on the Estimates for 1852:
- The sum of two thousand pounds for repairing the Road from Geelong to Bates' Ford.
The sum of five hundred pounds for the erection of Two Bridges near the Western Gully at Geelong.
The sum of two hundred and twenty-five pounds for the Salary of the Postmaster, Geelong, being an additional sum of sixty pounds to that now placed on the Estimates.
The sum of one hundred and twenty pounds for the erection of a Signal Staff at Shortland's Bluff, and for the purchase of Flags.
An increase of one thousand pounds for forming the approaches to the Queen's Wharves, Geelong.
A sum of fifty pounds, in addition to the amount of one hundred and fifty pounds at present placed on the Estimates, for the Salary of the Assistant Harbour Master, Melbourne.
4. MR. OSBORNE: To move that an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to reserve a portion of the Land between the Moyne River and the Port Fairy Bay, as a place for public recreation.
5. MR. OSBORNE:—To move that the Council do resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Lieutenant-Governor praying that he will be pleased to place upon the Estimates for 1852, the sum of six hundred pounds, for removing the Port Fairy Bar.
6. MR. SPLATT: To move that the Report of the Steam Communication Committee be taken into consideration, and adopted by this Council, and that thereupon this House do resolve itself into a Committee of the whole, for the purpose of presenting an Address to His Excellency the Lieutenant-Governor, praying that he will cause to be placed on the Estimates for 1852 the sum of £3000, and that His Excellency will be pleased to forward an Address embodying these Resolutions to the Secretary of State for the Colonies, accompanied by the favourable recommendation of the Executive Government.
7. MR. RUSSELL: To move for leave to bring in "A Bill to incorporate the City of Melbourne Gas and Coke Company."
8. MR. ROBINSON: To move that the Council resolve itself into a Committee of the whole, to consider the propriety of addressing the Lieutenant-Governor, to place on the Estimates for 1852, a sum of £492 4s., to be applied towards the formation of a place of Recreation and Botanical Garden at Geelong. Also,
The sum of Four thousand pounds towards the removal of the Bar at Corio Bay, Geelong.
9. MR. OSBORNE: To move that the House do resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to the Lieutenant-Governor, praying that he will be pleased to place upon the Estimates for 1852, a sum of £50 for the Salary of an Assistant Surgeon at Belfast.
10. MR. RUTLEDGE: To move that a Select Committee, consisting of Mr. Westgarth, Mr. Splatt, Mr. Turnbull, Mr. Russell, and Mr. Miller be appointed to enquire into the State of the Department of the Harbour Master at Melbourne, with instructions to take evidence and report to this House thereon, on an early day.
11. *Contingent*: Mr. Rutledge: To move that the Correspondence now produced in the case of the Harbour Master be referred to a Select Committee, consisting of Mr. Westgarth, Mr. Splatt, Mr. Turnbull, Mr. Russell and Mr. Miller, with instructions to report thereon.
12. MR. SMITH: To move for leave to bring in a Bill to enable the Vice-President and the Trustees of the Savings Bank of Port Phillip to lend money by way of Mortgage to the Corporations of the City of Melbourne and the Town of Geelong respectively.
13. MR. WESTGARTH: To move that this House do resolve itself into a Committee of the whole, to consider the propriety of addressing the Lieutenant-Governor to place upon the Estimates for the year 1852, a sum not exceeding Five hundred pounds for repairs to the Wharves of this Town.

ORDERS OF THE DAY:—

1. Gunpowder Bill—Second reading.
2. Melbourne and Geelong Police Rate Suspension Bill—Second reading.
3. Conveyance of Real Property Bill—Second reading.
4. Education Commission Bill—Second reading.
5. Preservation of Ports and Pilotage Bill—To be considered in Committee.
6. STANDING RULES AND ORDERS.—That this Council resolve itself into a Committee of the whole, to consider the Draft Standing Rules and Orders, and that it be an Instruction to such Committee to insert in such Standing Rules and Orders the Standing Order agreed to by the Council on the 26th November instant.
7. Interpretation of Acts Bill—Third reading.
8. Distress Bill—Second reading.
9. Administration of Justice Bill—Second reading.

TUESDAY, DECEMBER 9.

NOTICE OF MOTION :—

1. MR. GRIFFITH: To move for leave to bring in a Bill for preventing the extension of the disease called Catarrh, and for levying an Assessment on Sheep.

ORDER OF THE DAY :—

1. Scab and Catarrh Act amendment Bill—Second reading.
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WEDNESDAY, DECEMBER 10.

ORDER OF THE DAY :—

ESTIMATES FOR 1851-1852.—To be further considered in Committee.

THURSDAY, DECEMBER 11.

ORDER OF THE DAY :—

1. Uniform Rate of Postage Bill—Second reading.
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FRIDAY, DECEMBER 12.

NOTICE OF MOTION :—

1. MR. FAWKNER: To move for the Repeal of the Act intituled, "*An Act to exempt from Duties all Sales by Auction of Colonial Produce, and Sheep, Cattle, and Horses,*" assented to October 1, 1851, No. xxxiv, with leave to bring in a Bill to repeal the above recited Act.

J. F. PALMER,

Speaker.

No. 16.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,
FRIDAY, 5th December, 1851.

1. Council met pursuant to adjournment; Speaker took the chair.
2. GOLD.—Mr. Fawcner, with leave of the Council, postponed the consideration of the Motion standing in his name, No. 1, on the notice paper of to-day, until after the consideration of No. 13.
3. IMMIGRATION.—Mr. Goldsmith pursuant to notice, moved, That this House resolve itself into a Committee of the whole "House," to consider a Motion to the following effect:—
 - (1.) That this House is of opinion that the Funds now at the disposal of the Government for Immigration purposes are not sufficient to meet the exigencies of the labour market of this Colony.
 - (2.) That the present Financial State of the country affords a favourable opportunity for the issue of debentures on the security of the Territorial Revenue, to, at the least, an amount of £100,000, for purposes of Immigration.
 - (3.) That an Address be presented to His Excellency the Lieutenant-Governor embodying the foregoing Resolutions, with a respectful request that he will please to forward the same with a favourable recommendation to Her Most Gracious Majesty the Queen.

Debate ensued.

A Question of Order having arisen as to the competency of any Member to move as an Amendment a series of Resolutions subversive of a Motion to go into Committee of the whole to adopt an Address on the subject of Public Expenditure, the Speaker ruled that as it was incompetent for the Council to discuss the principles of any Motion involving Public Expenditure, it was equally incompetent to move by way of Amendment any Resolution involving a question of Public Expenditure.

Mr. RUTLEDGE then moved as an Amendment to the above Motion, That all the words after the word "that" be omitted, with a view to insert in their place the words following, "a Committee appointed, consisting of Mr. Splatt, Mr. Murphy, Mr. Goldsmith, Mr. O'Shanassy, Mr. Johnston, Mr. Strachan, Mr. Griffith, Mr. Pchman, and Mr. Campbell, to consider the Resolutions involved in the above Motion"

Put and negatived.

Original motion put.

Council divided.

AYES 5.

Mr. MURPHY,
— SPLATT,
— GOLDSMITH,
— CAMPBELL,
— RUTLEDGE, (Teller).

NOES 22.

THE COLONIAL SECRETARY,
— ATTORNEY GENERAL,
— SOLICITOR GENERAL,
— MASTER IN EQUITY,
Mr. MILLER,
— WESTGARTH,
— O'SHANASSY,
— ROBINSON,
— JOHNSTON,
— RUSSELL,
— FAWKNER,
— WILKINSON,
— HAINES,
— DUNLOP,
— MERCER,
— STRACHAN,
— TURNBULL,
— GRIFFITH,
— DIGHT,
— ROSS,
— OSBORNE,
THE AUDITOR GENERAL, (Teller.)

4. ADDRESS FOR ADDITIONAL SUMS TO BE PLACED ON ESTIMATES.—Mr. Strachan, pursuant to notice, moved, That the Council resolve itself into a Committee of the whole, to consider the propriety of addressing His Excellency the Lieutenant Governor, to place on the Estimates for "1852:—"

The sum of Two thousand pounds for repairing the Road from Geelong to Bates' Ford.

The sum of Five hundred pounds for the erection of Two Bridges near the Western Gulley at Geelong.

The sum of Two hundred and twenty-five pounds for the Salary of the Postmaster, Geelong, being an additional sum of sixty pounds to that now placed on the Estimates.

The sum of one hundred and twenty pounds for the erection of a Signal Staff at Shortland's Bluff, and for the purchase of Flags.

An increase of one thousand pounds for forming the approaches to the Queen's Wharves, Geelong.

A sum of fifty pounds, in addition to the amount of one hundred and fifty pounds at present placed on the Estimates, for the Salary of the Assistant Harbour Master, Melbourne.

Debate ensued.

Question put and passed.

The Speaker left the Chair, and

The Council resolved itself into a Committee of the whole.

The Chairman reported progress.

5. RESERVATION OF LAND FOR RECREATION.—Mr. Osborne moved, pursuant to notice, That an Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to reserve a portion of the Land between the Moyne River and the Port Fairy Bay, as a place for public recreation.
Question put and carried.
Address to be presented by the Speaker.
6. WITHDRAWAL OF NOTICE OF MOTION.—Mr. Osborne with leave of the Council withdrew the Notice of Motion standing in his name, No. 5, on the Notice Paper of to-day.
7. STEAM COMMUNICATION WITH GREAT BRITAIN.—Mr. Splatt moved pursuant to notice, that the Report of the Steam Communication Committee be taken into consideration, and adopted by this Council.
Question put and carried. Report adopted.
On the Motion of Mr. Splatt, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the purpose of considering the propriety of presenting an Address to His Excellency the Lieutenant Governor, praying that he will cause to be placed on the Estimates for 1852, the sum of £3000, for the purposes recommended in the Report of the Steam Communication Committee, and that His Excellency will be pleased to forward an Address, embodying the Resolutions agreed to by the Committee to the Secretary of State for the Colonies, accompanied by the favourable recommendation of the Executive Government.
The Chairman having reported that the Committee had resolved, that an Address be presented to His Excellency the Lieutenant-Governor in the Terms of the above Motion, the Council adopted such Report, and ordered that the Address be presented by the Speaker.
8. MELBOURNE GAS AND COKE COMPANY.—Mr. Russell presented a Petition from certain persons, Inhabitants of the City of Melbourne, praying leave to bring in a Bill for the purpose of lighting the City of Melbourne with Gas.
Petition received.
9. MELBOURNE GAS AND COKE COMPANY.—Mr. Russell moved pursuant to Notice, That he have leave to bring in a "A Bill to incorporate the City of Melbourne Gas and Coke Company."
Question put and passed.
10. WITHDRAWAL OF NOTICE OF MOTION.—Mr. Robinson withdrew the Notice of Motion standing in his name, No. 8, on the Notice Paper of to-day.
11. ADDRESS TO PLACE SUM ON ESTIMATES FOR 1852.—On the Motion of Mr. Osborne, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole to consider the propriety of presenting an Address to the Lieutenant-Governor, praying that he will be pleased to place upon the Estimates for 1852, a Sum of £50 for the Salary of an Assistant Surgeon at Belfast.
The Chairman reported progress.
12. HARBOUR MASTER AT MELBOURNE.—Mr. Rutledge moved, pursuant to notice, That a Select Committee, consisting of Mr. Westgarth, Mr. Splatt, Mr. Turnbull, Mr. Russell, and Mr. Miller be appointed to enquire into the State of the Department of the Harbour Master at Melbourne, with instructions to take evidence and report to this House thereon, on an early day.
Question put and passed.
Mr. Dunlop required that the Committee be appointed by ballot.
Whereupon the Council proceeded to the ballot, and the following Members were declared by the Speaker to be with the Mover the Committee duly appointed, viz. :—Mr. Strachan, Mr. Osborne, Mr. Turnbull, Mr. Westgarth, Mr. Russell, Mr. Dunlop.
13. HARBOUR MASTER, MELBOURNE.—Mr. Rutledge, pursuant to notice, moved, That the Correspondence in the case of the Harbour Master, laid upon the Table of this Council by the Colonial Secretary, on the 4th instant, be referred to the above Committee, with instructions to report thereon.
Question put and passed.
14. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Smith postponed the Motion standing in his name, No. 12, on the Notice Paper of to-day, until Tuesday 9th December.
15. WITHDRAWAL OF NOTICE OF MOTION.—Mr. Westgarth withdrew the Notice of Motion standing in his name No. 13, on the Notice Paper of to-day.

16. **GOLD.**—Mr. Fawkner moved pursuant to notice, "That this Council do Address His Excellency the Lieutenant-Governor, praying him to take such measures, by Bill or otherwise, as will render the Gold, the produce of this Province, a Legal Tender, and embodying a proposition to establish an Assay Office, in which such Gold shall be cast into ingots, and duly stamped as of such fineness as it may prove, and in Bars of an ounce and its multiples, and to fix upon it a value at which it shall be taken in all the public offices of the Colony, and, if need be declared a Legal Tender—say at Three Pounds Ten Shillings per ounce.
- MR. MILLER** moved as an amendment that all the words following the word "That" be omitted, with a view to insert in their place the words "A Select Committee be appointed to inquire into and Report on the expediency of establishing an Assay Office in this Colony, for the purpose of Assaying the Gold found here, and casting the same into Stamped Ingots, and that the Committee consist of Mr. Fawkner, Mr. Westgarth, Mr. Griffith, Mr. Splatt, the Solicitor-General, Mr. Smith, and the mover.
- Question that the words proposed to be omitted stand part of the question.—Put and negatived.
- Question that the words proposed to be inserted in place of the words omitted, be so inserted.—Put and passed.
- Question as amended was then put and carried.
17. **GUNPOWDER BILL.**—The Solicitor-General moved that this Bill be now read a second time.
Bill read a second time—to be considered in Committee on Tuesday next.
18. **MELBOURNE AND GEELONG POLICE RATE SUSPENSION BILL.**—The Solicitor-General moved that this Bill be now read a second time.
Bill read a second time—to be considered in Committee on Tuesday next.
19. **CONVEYANCE OF REAL PROPERTY BILL.**—The Solicitor-General moved that this Bill be now read a second time.
Bill read a second time—to be considered in Committee on Friday next.
20. **PRESERVATION OF PORTS AND PILOTAGE BILL.**—On the motion of the Solicitor-General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Tuesday next.
21. **POSTPONEMENT.**—On the motion of the Auditor-General, the following Order of the Day was postponed until Tuesday next—
Draft Standing Rules and Orders—consideration of in Committee.
22. **POSTPONEMENTS.**—On the motion of the Attorney-General, the following Order of the Day was postponed until Tuesday next—
Distress Bill—second reading.
And the following Orders of the Day were postponed until Friday next—
Education Commission Bill—second reading.
Interpretation of Acts Bill—third reading.
23. **ADMINISTRATION OF JUSTICE BILL.**—The Attorney-General moved that this Bill be now read a second time.
Bill read a second time—to be considered in Committee on Friday next.
Council adjourned at half-past nine o'clock until 3 o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, DECEMBER 9.

NOTICES OF MOTION :—

1. **MR. GRIFFITH:** To move for leave to bring in a Bill for preventing the extension of the disease called Catarrh, and for levying an Assessment on Sheep.
2. **MR. SMITH:** To move for leave to bring in a Bill to amend the Acts relating to the Savings Bank of Port Phillip, to enable the Vice-President and the Trustees to lend money by way of Mortgage to the Corporations of the City of Melbourne and the Town of Geelong respectively.

ORDERS OF THE DAY :—

1. Standing Rules and Orders.—To be considered in Committee.
2. Scab and Catarrh Act amendment Bill—Second reading.
3. Gunpowder Bill—To be considered in Committee.
4. Melbourne and Geelong Police Rate Suspension Bill—To be considered in Committee.
5. Distress Bill—Second reading.
6. Preservation of Ports and Pilotage Bill—To be further considered in Committee.

WEDNESDAY, DECEMBER 10.

ORDER OF THE DAY :—

ESTIMATES FOR 1851-1852.—To be further considered in Committee.

THURSDAY, DECEMBER 11.

ORDER OF THE DAY:—

1. Uniform Rate of Postage Bill—Second reading.
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FRIDAY, DECEMBER 12.

NOTICE OF MOTION:—

1. MR. FAWCNER: To move for the Repeal of the Act intituled, "*An Act to exempt from Duties all Sales by Auction of Colonial Produce, and Sheep, Cattle, and Horses,*" assented to October 1, 1851, No. XXXIV, with leave to bring in a Bill to repeal the above recited Act.

ORDERS OF THE DAY:—

1. Conveyance of Real Property Bill—To be considered in Committee.
2. Education Commission Bill—Second reading.
3. Interpretation of Acts Bill—Third reading.
4. Administration of Justice Bill—To be considered in Committee.

J. F. PALMER,

Speaker.

No. 17.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

TUESDAY, 9th December, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. ALIENS.—Mr. Miller presented a Petition from Augustus F. A. Greeves, praying this House would take the premises contained in the Petition into consideration, and by repealing the Laws respecting Aliens, or otherwise, as to this Council may seem meet, avert the evil which is impending.
Petition received.
3. PENAL ESTABLISHMENT, PENTRIDGE. — The Colonial-Secretary, by command of His Excellency the Lieutenant-Governor, laid upon the Table the Return to the Address on this subject, adopted on the Motion of Mr. Westgarth on the 25th November.
Ordered to be printed.
4. CONVICTS—VAN DIEMEN'S LAND.—Mr. Johnston presented a Petition from the Right Worshipful the Mayor, Aldermen, Councillors and Citizens of the City of Melbourne, under the Common Seal of the City, praying that this Council will adopt such measures as may in its judgment be most conducive to check the inundation of this Colony with Convicts from Van Diemen's Land, and that during this Session a Law may be passed depriving of any validity within the Colony of Victoria any protection to convicted Felons issued by the Lieutenant-Governor of Van Diemen's Land, short of freedom by servitude, or absolute pardon under the hand of Her Most Gracious Majesty the Queen.
Petition received.
5. CATARRH PREVENTION BILL.—Mr. Griffith moved, pursuant to notice, That he have leave to bring in "A Bill for preventing the extension of the disease called Catarrh, and for levying an Assessment on Sheep."
Question put and passed.
Ordered that the Mover and Seconder prepare and bring in the Bill.
Mr. Griffith having brought up the Bill, moved, That it be printed.
Question put and carried.
6. PORT PHILLIP SAVINGS BANK ACT AMENDMENT BILL.—Mr. Smith moved, pursuant to amended notice, That he have leave to bring in "A Bill to amend the Acts relating to the Savings Bank of Port Phillip, to enable the Vice-President and the Trustees to lend Money by way of Mortgage to the Corporations of the City of Melbourne and the Town of Geelong respectively."
Bill brought in, read a first time, and ordered to be printed and read a second time on Tuesday next.
7. DRAFT STANDING RULES AND ORDERS.—Precedence over other business having been given to the Draft Standing Rules and Orders for the orderly conduct of the business of the Council, pursuant to the understanding come to on Friday last, the Council, on motion of the Auditor-General, resolved itself into a Committee of the whole, for consideration thereof.
The Chairman having reported the Standing Rules and Orders with Amendments as agreed to in Committee, they were adopted by the Council, on motion of the Attorney-General, and ordered to be printed on vellum, and laid before His Excellency the Lieutenant-Governor for approval, pursuant to the requirements of the Acts of Parliament, 5 and 6 Victoria, chap. 76, and 13 and 14 Victoria, chap. 59.
8. SCAB AND CATARRH ACT AMENDMENT BILL.—Mr. Rutledge moved, that this Bill be "now" read a second "time."
Mr. Mercer moved as an Amendment, that the word "now" be omitted, with a view to insert after the word "time," the words, "this day six months."
Question, that the word "now" proposed to be omitted stand part of the question, put and negatived.
Question, that the words "this day six months" be added after the word "time" put and carried.

Question as amended was then put.
Council divided.

Ayes 17.

THE COLONIAL SECRETARY,
— AUDITOR GENERAL,
— SOLICITOR GENERAL,
— MASTER IN EQUITY,
MR WESTGARTH,
— GRIFFITH,
— FAWKNER,
— WILKINSON,
— MILLER,
— RUSSELL,
— HAINES,
— DUNLOP,
— MERCER,
— STRACHAN,
— TURNBULL,
— SPLATT
— O'SHANASSY, (Teller.)

Noes 6.

MR. MURPHY,
— RUTLEDGE,
— SNODGRASS,
— GOLDSMITH,
THE ATTORNEY GENERAL,
MR. OSBORNE, (Teller.)

9. GUNPOWDER EXPORTATION BILL.—On the motion of the Solicitor-General, the Council resolved itself into a Committee of the whole, for the consideration thereof.
The Chairman reported progress, and asked leave to sit again immediately.
10. GUNPOWDER EXPORTATION BILL.—On the motion of the Solicitor-General the Council again resolved itself into a Committee of the whole, for consideration thereof.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill as so reported to be printed on vellum, and read a third time this day week.
11. MELBOURNE AND GEELONG POLICE RATE SUSPENSION BILL.—On the motion of the Solicitor-General the Council resolved itself into a Committee of the whole, for consideration thereof.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill as so reported to be printed on vellum, and read a third time this day week.
12. DISTRESS BILL.—The Solicitor-General moved That this Bill be now read a second time.
Bill read a second time,—to be considered in Committee on Friday next.
13. PRESERVATION OF PORTS AND PILOTAGE BILL.—On the motion of the Solicitor-General the Council resolved itself into a Committee of the whole, for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again on Friday next.
Council adjourned at a quarter to ten, until 3 o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, DECEMBER 10.

ORDER OF THE DAY:—

ESTIMATES FOR 1851-1852.—To be further considered in Committee.

THURSDAY, DECEMBER 11.

ORDER OF THE DAY:—

Postage Rate of Postage Bill—Second reading.

FRIDAY, DECEMBER 12.

MOTION:—

- To move for the Repeal of the Act intituled, "*An Act to exempt from duties by Auction of Colonial Produce, and Sheep, Cattle, and Horses;*" passed in the 14th year of the reign of Her Majesty Queen Victoria, Chapter 1, 1851, No. XXXIV, with leave to bring in a Bill to repeal the above Act.
2. To move that the Petition of the Mayor, Aldermen, Councillors, and Burgesses of Melbourne against the introduction of Convicts from Van Diemen's Land, to be printed.

3

ORDERS OF THE DAY:—

1. Conveyance of Real Property Bill—To be considered in Committee.
2. Education Commission Bill—Second reading.
3. Interpretation of Acts Bill—Third reading.
4. Administration of Justice Bill—To be considered in Committee.
5. Distress Bill—To be considered in Committee.
6. Preservation of Ports and Pilotage Bill—To be further considered in Committee.

TUESDAY, DECEMBER 16.

ORDERS OF THE DAY:—

1. Savings Bank of Port Phillip Bill—Second reading.
2. Gunpowder Bill—Third reading.
3. Melbourne and Geelong Police Rate Suspension Bill—Third reading.

J. F. PALMER,
Speaker.

No. 18.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

WEDNESDAY, 10th December, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. ESTIMATES FOR 1851-1852.—On the Motion of the Auditor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of the Estimates of Ways and Means and Probable Expenditure of the Colonial Government of Victoria for the year 1852, and Supplementary Estimate for the year 1851, accompanying the Financial Message of His Excellency the Lieutenant Governor on the 18th November, and the consideration of the rates proposed in His Excellency the Lieutenant Governor's Message, No. 5, in lieu of those set forth in the Estimates.
The Chairman reported progress, and obtained leave to sit again to-morrow.
Council adjourned at half-past ten o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, DECEMBER 11.

Government Business.

ORDER OF THE DAY:—

1. ESTIMATES FOR 1851-1852.—To be further considered in Committee.
2. Uniform Rate of Postage Bill—Second reading.

Other Business.

NOTICE OF MOTION:—

1. MR. FAWKNER: To move to appoint a Registrar of Marriages, Births, and Deaths, for the Colony of Victoria.

FRIDAY, DECEMBER 12.

NOTICES OF MOTION:—

1. MR. FAWKNER: To move for the Repeal of the Act intituled, "*An Act to exempt from Duties all Sales by Auction of Colonial Produce, and Sheep, Cattle, and Horses,*" assented to October 1, 1851, No. XXXIV, with leave to bring in a Bill to repeal the above recited Act.
2. MR. JOHNSTON: To move that the Petition of the Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne against the introduction of Convicts from Van Diemen's Land, who are not free by servitude, be printed.
3. MR. FAWKNER: To move that this House do resolve itself into a Committee of the whole House, in order to consider and prepare an Address to His Excellency the Lieutenant Governor, that he will cause to be reserved throughout the Unsold Lands of the Colony, a sufficient width of Roadway from the boundaries of the Colony to the various Seaports, or places of Shipment, or of consumption of Stock, to enable persons bringing Stock to Market to travel throughout the Country without trespassing upon the rights of the Occupants—say, from four hundred to eight hundred yards on each side of the main track or road, and that places may be reserved near the Rivers, Lakes or Ponds of Water throughout the whole Unsold Lands of the Colony, where persons driving Stock to Sale, and the Drivers of Teams, may stop and rest, and refresh themselves and Cattle, without let or hindrance, and free from the Impounding Laws, now in force, by Licensed Holders of the Waste Lands of the Colony.
4. MR. RUSSELL: To move the First Reading of the City of Melbourne Gas and Coke Company Bill.

ORDERS OF THE DAY:—

1. Conveyance of Real Property Bill—To be considered in Committee.
2. Education Commission Bill—Second reading.
3. Interpretation of Acts Bill—Third reading.
4. Administration of Justice Bill—To be considered in Committee.
5. Distress Bill—To be considered in Committee.
6. Preservation of Ports and Pilotage Bill—To be further considered in Committee.

TUESDAY, DECEMBER 16.

NOTICES OF MOTION:—

1. MR. FAWKNER: To move that an Address be presented to His Excellency the Lieutenant Governor, that he will be pleased to cause to be laid upon the Table of this House, a Statistical Return of the late Mount Rouse Aboriginal Station.
 - (1.) A Return as near as practicable of the number of acres, or of square miles of land the Mount Rouse Aboriginal Station contained, not only at its first formation, but if any change took place in this respect; also after such change.
 - (2.) The date and full particulars of the authority under which this selection took place, and who was entrusted to select it.
 - (3.) The yearly cost of this said Station, the use, or uses the land was put to, the number of Aborigines it supported, the quantity and quality of that support, and what part was devoted to agricultural, and what part to pastoral, pursuits.
 - (4.) The total cost to the Colony of this Aboriginal Station, and the total amount of produce or profit made of, out of, or by, the use of this Station, during the time it was held by the Government as an Aboriginal Station, or since used as such, until the time of its final disposal, whether by Tender or otherwise.
 - (5.) What quantity of the land of the Mount Rouse Aboriginal Station was let by Tender, together with the names of the Tenderers, the prices offered, and the price of the one accepted, with the reason, why it was accepted.
 - (6.) Also a return of the number of acres of the Mount Rouse Aboriginal Station, that were not let by Tender, the reasons why the rest of the land was not yet let by Tender, and to whom, and at what price it was let privately, if it has been so disposed of.

ORDERS OF THE DAY:—

1. Savings Bank of Port Phillip Bill—Second reading.
2. Gunpowder Bill—Third reading.
3. Melbourne and Geelong Police Rate Suspension Bill—Third reading.

FRIDAY, DECEMBER 19.

NOTICE OF MOTION:—

1. MR. FAWKNER: To move that it is imperative upon this House to provide means to pay the Police Force, and the Post Department, in the (so called) Intermediate and Unsettled Districts, and as those expenses have been hitherto paid out of the Assessment upon the Stock located in those Districts, and the present vote of Assessment not being sufficient for this purpose—That a Bill be brought in to amend the present rate of Assessment upon Sheep, Cattle and Horses, sufficient to meet these demands: And that leave be given to bring in a Bill charging a higher rate of Assessment upon all Stock grazing in those Districts, charging a discriminating sum, on those in the Near or Intermediate from those in the Distant or Unsettled Districts of this Province.

J. F. PALMER,

Speaker.

No. 19.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,
THURSDAY, 11th December, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. ADDRESSES.—The Speaker announced to the Council, that he had pursuant to the Resolutions of this Council, presented the following Addresses to His Excellency the Lieutenant Governor, viz.:
 - No. 14. Land Reserve for Public Recreation at Port Fairy—adopted on the 5th December, 1851, on the Motion of Mr. Osborne.
 - No. 15.a Steam Communication—adopted on the 5th December, 1851, on the Motion of Mr. Splatt.
 - No. 15.b Steam Communication—adopted on the 5th December, 1851, on the Motion of Mr. Splatt.

And that His Excellency had in reply to such Addresses been pleased to state, that the wishes of the Council as expressed in the above several Addresses should be complied with.

3. PUBLIC HOUSE LICENSING AMENDMENT ACT BILL.—The Attorney General having presented a Bill to alter an Act intituled an Act to consolidate and amend the Laws relating to the licensing of Public Houses and to regulate the Sale of fermented and Spirituous Liquors in New South Wales.
Bill read a first time, ordered to be printed, and read a second time on Tuesday next.
4. VAGRANCY ACT AMENDMENT BILL.—The Attorney General having presented a Bill for the more effectual punishment of Idle and Disorderly Persons.
Bill read a first time, ordered to be printed, and read a second time on Tuesday next.
5. GEELONG ELECTION PETITION.—Mr. Westgarth as Chairman, brought up a Report from from The Committee of Elections and Qualifications, upon the Petition of W. H. Baylie, Silas Harding, and Wm. Paterson, against the return of Robert Robinson, Esquire, to serve in the Legislative Council of Victoria, as one of the Representatives of the Electoral District of the Town of Geelong, and laid upon the Table, the Evidence taken before the Committee, and moved that the Report and Evidence be printed.
Debate ensued.
Report and Evidence ordered to be printed.
6. ESTIMATES FOR 1851-1852.—On the Motion of the Auditor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of the Estimates of Ways and Means and Probable Expenditure of the Colonial Government of Victoria for the year 1852, and Supplementary Estimate for the year 1851, accompanying the Financial Message of His Excellency the Lieutenant Governor on the 18th November, and the consideration of the rates proposed in His Excellency the Lieutenant Governor's Message, No. 5, in lieu of those set forth in the Estimates.
The Chairman reported progress, and obtained leave to sit again on Tuesday next.
7. UNIFORM RATE OF POSTAGE 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 and ordered to be considered in Committee to-morrow.
8. WITHDRAWAL OF NOTICE OF MOTION.—Mr. Fawcner withdrew the Motion standing in his name, No. 1, on the Notice Paper of to-day.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, DECEMBER 12.

NOTICES OF MOTION :—

1. MR. FAWKNER: To move for the Repeal of the Act intituled, "*An Act to exempt from Duties all Sales by Auction of Colonial Produce, and Sheep, Cattle, and Horses,*" assented to October 1, 1851, No. XXXIV, with leave to bring in a Bill to repeal the above recited Act.
2. MR. JOHNSTON: To move that the Petition of the Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne against the introduction of Convicts from Van Diemen's Land, who are not free by servitude, be printed.
3. MR. FAWKNER: To move that this House do resolve itself into a Committee of the whole House, in order to consider and prepare an Address to His Excellency the Lieutenant Governor, that he will cause to be reserved throughout the Unsold Lands of the Colony, a sufficient width of Roadway from the boundaries of the Colony to the various Seaports, or places of Shipment, or of consumption of Stock, to enable persons bringing Stock to Market to travel throughout the Country without trespassing upon the rights of the Occupants—say, from four hundred to eight hundred yards on each side of the main track or road, and that places may be reserved near the Rivers, Lakes or Ponds of Water throughout the whole Unsold Lands of the Colony, where persons driving Stock to Sale, and the Drivers of Teams, may stop and rest, and refresh themselves and Cattle, without let or hindrance, and free from the Impounding Laws, now in force, by Licensed Holders of the Waste Lands of the Colony.
4. MR. RUSSELL: To move the First Reading of the City of Melbourne Gas and Coke Company Bill.
5. THE SOLICITOR GENERAL: To move for leave to bring in a Bill to abolish the taking of Fees for their own use by Officers in the Public Service.
6. THE SOLICITOR GENERAL: To move that the Report of the Chairman of Committee on the Standing Rules and Orders of the Legislative Council be re-committed on Friday the 12th instant, and that the subject stand first and have precedence of the Orders of the Day.

ORDERS OF THE DAY :—

1. Conveyance of Real Property Bill—To be considered in Committee.
2. Education Commission Bill—Second reading.
3. Interpretation of Acts Bill—Third reading.
4. Administration of Justice Bill—To be considered in Committee.
5. Distress Bill—To be considered in Committee.
6. Preservation of Ports and Pilotage Bill—To be further considered in Committee.
7. Uniform Rate of Postage Bill—To be considered in Committee.

TUESDAY, DECEMBER 16.

NOTICES OF MOTION :—

1. MR. FAWKNER: To move that an Address be presented to His Excellency the Lieutenant Governor, that he will be pleased to cause to be laid upon the Table of this House, a Statistical Return of the late Mount Rouse Aboriginal Station.
 - (1.) A Return as near as practicable of the number of acres, or of square miles of land the Mount Rouse Aboriginal Station contained, not only at its first formation, but if any change took place in this respect; also after such change.
 - (2.) The date and full particulars of the authority under which this selection took place, and who was entrusted to select it.
 - (3.) The yearly cost of this said Station, the use, or uses the land was put to, the number of Aborigines it supported, the quantity and quality of that support, and what part was devoted to agricultural, and what part to pastoral, pursuits.
 - (4.) The total cost to the Colony of this Aboriginal Station, and the total amount of produce or profit made of, out of, or by, the use of this Station, during the time it was held by the Government as an Aboriginal Station, or since used as such, until the time of its final disposal, whether by Tender or otherwise.
 - (5.) What quantity of the land of the Mount Rouse Aboriginal Station was let by Tender, together with the names of the Tenderers, the prices offered, and the price of the one accepted, with the reason, why it was accepted.
 - (6.) Also a return of the number of acres of the Mount Rouse Aboriginal Station, that were not let by Tender, the reasons why the rest of the land was not yet let by Tender, and to whom, and at what price it was let privately, if it has been so disposed of.
2. MR. STRACHAN: To move that the Council resolve itself into a Committee of the whole, to consider the propriety of addressing His Excellency the Lieutenant Governor to place on the Estimates for 1852—
 - (1.) The sum of Two thousand pounds for repairing the Road from Geelong to Bate's Ford.

- (2.) An increase of One thousand pounds for forming the approaches to the Queen's Wharves, Geelong.
- (3.) The sum of One hundred and twenty pounds for the erection of a Signal Staff at Shortland's Bluff, and for the purchase of Flags.
3. MR. OSBORNE: To move that this House resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to place upon the Estimates for 1852, the sum of £600 for removing the Port Fairy Bar.
4. MR. WESTGARTH: To move that this House do resolve itself into a Committee of the whole, for the purpose of considering the propriety of addressing His Excellency the Lieutenant Governor, to place upon the Estimates for 1852, a sum not exceeding One thousand pounds, for repairs and additions to the Melbourne Wharves.

ORDERS OF THE DAY :—

1. Savings Bank of Port Phillip Bill—Second reading.
2. Gunpowder Bill—Third reading.
3. Melbourne and Geelong Police Rate Suspension Bill—Third reading.
4. Public House Licensing Amendment Act—Second reading.
5. Vagrancy Act Amendment Bill—Second reading.
6. ESTIMATES FOR 1851-1852.—To be further considered in Committee.

FRIDAY, DECEMBER 19.

NOTICE OF MOTION :—

1. MR. FAWKNER: To move that it is imperative upon this House to provide means to pay the Police Force, and the Post Department, in the (so called) Intermediate and Unsettled Districts, and as those expenses have been hitherto paid out of the Assessment upon the Stock located in those Districts, and the present vote of Assessment not being sufficient for this purpose—That a Bill be brought in to amend the present rate of Assessment upon Sheep, Cattle and Horses, sufficient to meet these demands: And that leave be given to bring in a Bill charging a higher rate of Assessment upon all Stock grazing in those Districts, charging a discriminating sum, on those in the Near or Intermediate from those in the Distant or Unsettled Districts of this Province.

J. F. PALMER,

Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

FRIDAY, 12th December, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. AUCTION DUTIES ABOLITION ACT REPEAL BILL.—Mr. Fawkner having pursuant to notice moved for and obtained leave to bring in a Bill to repeal an Act intituled, "*An Act to exempt from Duties all Sales by Auction of Colonial Produce, and Sheep, Cattle, and Horses.*"
Bill presented, read a first time, and ordered to be printed.
3. CONVICTS—VAN DIEMEN'S LAND.—Mr. Johnston, pursuant to notice, moved, That the Petition of the Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne against the introduction of Convicts from Van Diemen's Land, who are not free by servitude, be printed.
Question put and passed.
4. WITHDRAWAL OF NOTICE OF MOTION.—Mr. Fawkner, with leave of the Council, withdrew the Motion standing in his name, No. 3, on the Notice Paper of to-day.
5. MELBOURNE GAS AND COKE COMPANY INCORPORATION BILL.—Mr. Miller, on behalf of Mr. Russell, moved, pursuant to notice, That this Bill be now read a first time.
Question put and passed, and Bill intituled "*A Bill for Lighting with Gas the City of Melbourne, in the Colony of Victoria, and to enable certain Persons associated under the name, firm, or style of "The City of Melbourne Gas and Coke Company" to sue and be sued in the name of the Secretary for the time being of the said Company and for other purposes therein mentioned*"—read a first time.
Mr. Miller then moved, That the Melbourne Gas and Coke Company Incorporation Bill be referred for the consideration and Report of a Select Committee, to consist of Mr. O'Shanassy, Mr. Fawkner, Mr. Turnbull, Mr. Splatt and Mr. Miller.
Question put and passed.
6. PENAL ESTABLISHMENT, PENTRIDGE.—Mr. Barrow, the Superintendent of the Penal Establishment having attended at the Bar of this Council, in accordance with the desire thereof, to give evidence with respect to the Penal Establishment at Pentridge,
On the motion of Mr. Griffith, Mr. Barrow was discharged from his attendance at the Bar of this Council.
7. FEES.—PUBLIC OFFICERS.—The Solicitor General moved pursuant to Notice, that he have leave to bring in a Bill to abolish the taking of fees for their own use by Officers in the Public Service.
Question put and passed.
Ordered that the Mover and Seconder prepare and bring in the Bill.
8. DRAFT STANDING RULES AND ORDERS.—Precedence over other business having been given, pursuant to the understanding come to yesterday, the Council on motion pursuant to notice of the Solicitor General, resolved itself into a Committee of the whole, for the further consideration of the Standing Rules and Orders for the orderly conduct of the business of the Council.
The Chairman having reported the Standing Rules and Orders with Amendments as agreed to in the Committee, they were adopted by the Council on motion of the Auditor General, and ordered to be printed on vellum and laid before His Excellency the Lieutenant Governor for approval, pursuant to the requirements of the Acts of Parliament, 5 and 6 Victoria, chap. 76, and 13 and 14 Victoria, chap. 59.
9. CONVEYANCE OF REAL PROPERTY BILL.—On the Motion of the Solicitor General, the consideration of this Bill in Committee of the whole was postponed until Tuesday next.
10. EDUCATION COMMISSION BILL.—The Attorney General moved, pursuant to notice, That this Bill be now read a second time.
Debate ensued.
Bill by leave withdrawn.
11. INTERPRETATION OF ACTS BILL.—On the motion of the Attorney General the third reading of this Bill was postponed until Tuesday next.
12. ADMINISTRATION OF JUSTICE BILL.—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Tuesday next.
13. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Solicitor General the following Orders of the Day were postponed until Tuesday next.
DISTRESS BILL.—To be considered in Committee.
PRESERVATION OF PORTS AND PILOTAGE BILL.—To be further considered in Committee.
UNIFORM RATE OF POSTAGE BILL.—To be considered in Committee.
Council adjourned at quarter to eleven o'clock, until three o'clock on Tuesday.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, DECEMBER 16.

NOTICES OF MOTION :—

1. MR. FAWKNER : To move that an Address be presented to His Excellency the Lieutenant Governor, that he will be pleased to cause to be laid upon the Table of this House, a Statistical Return of the late Mount Rouse Aboriginal Station.
 - (1.) A Return as near as practicable of the number of acres, or of square miles of land the Mount Rouse Aboriginal Station contained, not only at its first formation, but if any change took place in this respect; also after such change.
 - (2.) The date and full particulars of the authority under which this selection took place, and who was entrusted to select it.
 - (3.) The yearly cost of this said Station, the use, or uses the land was put to, the number of Aborigines it supported, the quantity and quality of that support, and what part was devoted to agricultural, and what part to pastoral, pursuits.
 - (4.) The total cost to the Colony of this Aboriginal Station, and the total amount of produce or profit made of, out of, or by, the use of this Station, during the time it was held by the Government as an Aboriginal Station, or since used as such, until the time of its final disposal, whether by Tender or otherwise.
 - (5.) What quantity of the land of the Mount Rouse Aboriginal Station was let by Tender, together with the names of the Tenderers, the prices offered, and the price of the one accepted, with the reason, why it was accepted.
 - (6.) Also a return of the number of acres of the Mount Rouse Aboriginal Station, that were not let by Tender, the reasons why the rest of the land was not yet let by Tender, and to whom, and at what price it was let privately, if it has been so disposed of.
2. MR. STRACHAN : To move that the Council resolve itself into a Committee of the whole, to consider the propriety of addressing His Excellency the Lieutenant Governor to place on the Estimates for 1852—
 - (1.) The sum of Two thousand pounds for repairing the Road from Geelong to Bate's Ford.
 - (2.) An increase of One thousand pounds for forming the approaches to the Queen's Wharves, Geelong.
 - (3.) The sum of One hundred and twenty pounds for the erection of a Signal Staff at Shortland's Bluff, and for the purchase of Flags.
3. MR. OSBORNE : To move that this House resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to place upon the Estimates for 1852, the sum of £600 for removing the Port Fairy Bar.
4. MR. WESTGARTH : To move that this House do resolve itself into a Committee of the whole, for the purpose of considering the propriety of addressing His Excellency the Lieutenant Governor, to place upon the Estimates for 1852, a sum not exceeding One thousand pounds, for repairs and additions to the Melbourne Wharves.
5. MR. JOHNSTON : To move the following Resolutions—
 - (1.) That the revenue accruing from the sale and occupation of the Waste Lands of the Colony, being mainly attributable to the value which the capital and labour of the colonists have imparted, and being exclusively applicable for the benefit of the Colony, is in reality the property of the colonists, and ought consequently to be subject only to the appropriation and control of the Colonial Legislature.
 - (2.) That the retention of the droits of the Crown simultaneously with a reserved Civil List, is an anomaly in the British Constitution unknown, except in the Australian Colonies.
 - (3.) That the Administration of the Waste Lands of the Colony, and of the Territorial Revenue thence arising, is as unsatisfactory to the Colonists as the reposing such functions in Officers in whose appointment the Colonists have no voice, and over whose actions they have no control, is unjust and unconstitutional.
 - (4.) That the social disorganization, and the constant clashing between under the General and Territorial Revenues, which have been the result of the discovery of the enormously rich Gold Fields of the Colony, render it more than ever imperatively necessary that the appropriation of the Land Fund should be vested in the Legislature of the Colony, because otherwise the Gold can never effectually be made (as it ought to be) the means of redressing its own wrong.
 - (5.) That the sense of injustice created in the minds of the Colonists by withholding from them the control of their own Land Fund, is aggravated by the knowledge that Canada and several other possessions of the British Crown are differently dealt with, and the continued refusal on the part of the Home Government to place Victoria on the same footing in this respect as the favored Colony of Canada, can scarcely fail to be suggestive of the very painful reflection that the concession of their just rights, is more readily obtainable by the British Colonies, by having recourse to rebellious practices, than by the maintenance of a loyal and peaceable demeanor such as has ever characterized the Colonists of this portion of Her Majesty's dominions.
 - (6.) That an humble and dutiful Address be transmitted to the Queen, embodying the foregoing resolutions, and praying that Her Majesty will be graciously pleased to propose to the two Houses of Parliament, the transfer to the Colonial Legislature of the entire control of the Waste Lands of the Colony, and of the Territorial Revenue thence arising.

- (7.) That the following Members, viz., Mr. Miller, the Solicitor General, Mr. Ross and Mr. Robinson be appointed, with the Mover, a Committee to frame the Address referred to in the foregoing resolutions.
6. MR. JOHNSTON: To move that an Address be presented to the Lieutenant Governor, praying His Excellency to cause to be laid on the Table of this House, copies of all Correspondence (if any) which may have taken place between the Local Government, and the late Commissioner of the Court of Requests, respecting certain charges or imputations, reflecting upon the conduct of the Registrar of that Court in the discharge of his official duties, which appeared in some of the Public Journals of this City.
7. MR. OSBORNE: To move that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct that all accounts against the Government by Contractors and others shall be made out in due form, either by some person in the employment of the Government, or by the Department against which the amount is to be charged, upon full particulars being furnished by Contractors and others, in the manner usual amongst the trading community.

ORDERS OF THE DAY:—

1. Savings Bank of Port Phillip Bill—Second reading.
2. Gunpowder Bill—Third reading.
3. Melbourne and Geelong Police Rate Suspension Bill—Third reading.
4. Public House Licensing Amendment Act—Second reading.
5. Vagrancy Act Amendment Bill—Second reading.
6. ESTIMATES FOR 1851-1852.—To be further considered in Committee.
7. Conveyance of Real Property Bill—To be considered in Committee.
8. Interpretation of Acts Bill—Third reading.
9. Administration of Justice Bill—To be further considered in Committee.
10. Distress Bill—To be considered in Committee.
11. Preservation of Ports and Pilotage Bill—To be further considered in Committee.
12. Uniform Rate of Postage Bill—To be considered in Committee.

WEDNESDAY, DECEMBER 17.

NOTICES OF MOTION,

1. MR. FAWKNER: To move that this House do resolve itself into a Committee of the whole House to consider and prepare an Address to His Excellency the Lieutenant Governor, praying him to appoint a Registrar of Marriages, Births and Deaths for the Colony of Victoria, and that he will direct the Crown Law Officers to prepare and lay before this House, a Bill defining and legalizing the duties of said Officer. And that this House do pledge itself to make provision for the payment of the expenses contingent thereon.

FRIDAY, DECEMBER 19.

NOTICE OF MOTION:—

1. MR. FAWKNER: To move that it is imperative upon this House to provide means to pay the Police Force, and the Post Department, in the (so called) Intermediate and Unsettled Districts, and as those expenses have been hitherto paid out of the Assessment upon the Stock located in those Districts, and the present vote of Assessment not being sufficient for this purpose—That a Bill be brought in to amend the present rate of Assessment upon Sheep, Cattle and Horses, sufficient to meet these demands: And that leave be given to bring in a Bill charging a higher rate of Assessment upon all Stock grazing in those Districts, charging a discriminating sum, on those in the Near or Intermediate from those in the Distant or Unsettled Districts of this Province.

J. F. PALMER,

Speaker.

No. 21.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

TUESDAY, 16th December, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. MOUNT ROUSE ABORIGINAL STATION.—Mr. Fawcner pursuant to Notice, moved that an Address be presented to His Excellency the Lieutenant Governor, that he will be pleased to cause to be laid upon the Table of this House, a Statistical Return of the late Mount Rouse Aboriginal Station.
 - (1.) A Return as near as practicable of the number of acres, or of square miles of land the Mount Rouse Aboriginal Station contained, not only at its first formation, but if any change took place in this respect; also after such change.
 - (2.) The date and full particulars of the authority under which this selection took place, and who was entrusted to select it.
 - (3.) The yearly cost of this said Station, the use, or uses the land was put to, the number of Aborigines it supported, the quantity and quality of that support, and what part was devoted to agricultural, and what part to pastoral, pursuits.
 - (4.) The total cost to the Colony of this Aboriginal Station, and the total amount of produce or profit made of, out of, or by, the use of this Station, during the time it was held by the Government as an Aboriginal Station, or since used as such, until the time of its final disposal, whether by Tender or otherwise.
 - (5.) What quantity of the land of the Mount Rouse Aboriginal Station was let by Tender, together with the names of the Tenderers, the prices offered, and the price of the one accepted, with the reason, why it was accepted.
 - (6.) Also a return of the number of acres of the Mount Rouse Aboriginal Station, that were not let by Tender, the reasons why the rest of the land was not yet let by Tender, and to whom, and at what price it was let privately, if it has been so disposed of.

Question put and carried.

Address to be presented by the Speaker.

3. ADDRESS TO PLACE SUMS ON ESTIMATES OF 1852.

On the Motion of Mr. Strachan, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, to consider the propriety of addressing His Excellency the Lieutenant Governor to place on the Estimates for 1852—

- (1.) The sum of Two thousand pounds for repairing the Road from Geelong to Bates' Ford.
- (2.) An increase of One thousand pounds for forming the approaches to the Queen's Wharves, Geelong.
- (3.) The sum of One hundred and twenty pounds for the erection of a Signal Staff at Shortland's Bluff, and for the purchase of Flags.

The Chairman having reported that the Committee had resolved that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to place on the Estimates for 1852 the sum of £1000, for repairing the Road from Geelong to Bates' Ford, the Council adopted such Report and ordered that the Address be presented by the Speaker.

4. PROPOSED ADDITIONAL APPROPRIATION FOR 1852.—The following Message from His Excellency received and read.

C. J. LA TROBE,

LIEUTENANT-GOVERNOR.

Message, No. 6.

The Lieutenant Governor submits to the Legislative Council the accompanying statement of sums likely to be required to meet certain additional expenditure in 1852, amounting to £10,359 15s. 6d.

2. The greater part of the sums specified are proposed in consequence of the expressed or understood wishes of the Council. The several items, in respect of which it is otherwise will be explained, if necessary, by the proper officer at the appropriate time.

Government Offices,

Melbourne, 16th December, 1851.

Ordered to be printed with the accompanying Statement and taken into consideration to-morrow.

5. PORT FAIRY BAR.—On the Motion of Mr. Osborne, the Speaker left the Chair and the Council resolved itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to place upon the Estimates for 1852, the sum of £600 for removing the Port Fairy Bar.

The Chairman reported progress and obtained leave to sit again this day six months.

6. WITHDRAWAL OF NOTICE OF MOTION.—Mr. Westgarth, with leave of the Council, withdrew the Motion standing in his name, No. 4, on the Notice Paper of to-day.

7. **WILLIAMSTOWN POLICE OFFICE.**—Mr. Westgarth presented a Petition from certain Commanders of Ships now laying in Hobson's Bay, praying that through the representations of this Council to the Local Government, arrangements may be made and enforced, by which a regular daily Court may be held at Williamstown, for the efficient and punctual conducting of whatever business may be brought before it.
Petition received.
8. **MARRIAGE LAWS.**—Mr. Westgarth presented a Petition from Wm. Jarrett and A. M. Ramsay, praying certain enactments in reference to Marriages solemnized by Presbyterian and other Ministers, in the exercise of rights and privileges enjoyed in the Home Country.
Petition received.
9. **SALE AND OCCUPATION OF WASTE LANDS AND REVENUE THENCE ACCRUING.**—Mr. Johnston moved pursuant to Notice, that this Council do resolve.
- (1.) That the revenue accruing from the sale and occupation of the Waste Lands of the Colony, being mainly attributable to the value which the capital and labour of the colonists have imparted, and being exclusively applicable for the benefit of the Colony, is in reality the property of the colonists, and ought consequently to be subject only to the appropriation and control of the Colonial Legislature.
 - (2.) That the retention of the droits of the Crown simultaneously with a reserved Civil List, is an anomaly in the British Constitution unknown, except in the Australian Colonies.
 - (3.) That the Administration of the Waste Lands of the Colony, and of the Territorial Revenue thence arising, is as unsatisfactory to the Colonists as the reposing such functions in Officers in whose appointment the Colonists have no voice, and over whose actions they have no control, is unjust and unconstitutional.
 - (4.) That the social disorganization, and the constant clashing between under the General and Territorial Revenues, which have been the result of the discovery of the enormously rich Gold Fields of the Colony, render it more than ever imperatively necessary that the appropriation of the Land Fund should be vested in the Legislature of the Colony, because otherwise the Gold can never effectually be made (as it ought to be) the means of redressing its own wrong.
 - (5.) That the sense of injustice created in the minds of the Colonists by withholding from them the control of their own Land Fund, is aggravated by the knowledge that Canada and several other possessions of the British Crown are differently dealt with, and the continued refusal on the part of the Home Government to place Victoria on the same footing in this respect as the favored Colony of Canada, can scarcely fail to be suggestive of the very painful reflection that the concession of their just rights, is more readily obtainable by the British Colonies, by having recourse to rebellious practices, than by the maintenance of a loyal and peaceable demeanor such as has ever characterized the Colonists of this portion of Her Majesty's dominions.
 - (6.) That an humble and dutiful Address be transmitted to the Queen, embodying the foregoing Resolutions, and praying that Her Majesty will be graciously pleased to propose to the two Houses of Parliament, the transfer to the Colonial Legislature of the entire control of the Waste Lands of the Colony, and of the Territorial Revenue thence arising.
 - (7.) That the following Members, viz., Mr. Miller, the Solicitor General, Mr. Ross, and Mr. Robinson be appointed, with the Mover, a Committee to frame the Address referred to in the foregoing resolutions.
- Mr. Haines moved as an amendment, that the consideration of this subject be postponed until this day six months.
Question put and negatived.
- Mr. Johnston then divided his Motion and moved.
- (1.) That the Revenue accruing from the sale and occupation of the Waste Lands of the Colony, being mainly attributable to the value which the capital and labour of the colonists have imparted, and being exclusively applicable for the benefit of the Colony, is in reality the property of the Colonists, and ought consequently to be subject only to the appropriation and control of the Colonial Legislature.
Question put and carried.
Mr. Johnston then moved.
 - (2.) That the retention of the "droits of the Crown" simultaneously with a reserved Civil List, is an anomaly in the British Constitution unknown, except in the Australian "Colonies."
- Mr. Griffith moved as an Amendment, that the words "droits of the Crown" be omitted, with a view to insert in their place, the words "Crown Land Revenues," and to add after the word "Colonies" the words following, "but that upon the surrender to the Colonial Legislature of the entire management of all our Revenues, Territorial as well as General, including that derived from mines and minerals, we declare that we are prepared to provide for the whole cost of our Internal Government, whether Civil or Military, and to enact an adequate Civil List during the life of Her Majesty, and for five years after Her Majesty's demise, instead of the Schedules to the Imperial Act 13 and 14 Victoria.
Question—That the words proposed to be omitted stand part of the Question.
Put and negatived.
- Question—That the words proposed to be inserted in the place of the words omitted, be so inserted; and that the words proposed to be added, be so added—severally put and passed.
- Question—That the Clause as amended stand part of the Resolution.
Put and passed.

Mr. Johnston then moved—

(3.) That the Administration of the Waste Lands of the Colony, and of the Territorial Revenue thence arising, is as unsatisfactory to the Colonists as the reposing such functions in Officers in whose appointment the Colonists have no voice, and over whose actions they have no control, is unjust and unconstitutional.

Debate ensued.

Council divided.

Ayes 13.

THE SOLICITOR GENERAL.
MR. ROBINSON,
— FAWKNER,
— OSBORNE,
— O'SHANASSY,
— SPLATT,
— MURPHY,
— STRACHAN,
— MILLER,
— DIGHT,
— TURNBULL,
— JOHNSTON,
— WESTGARTH, (Teller.)

Noes 14.

THE COLONIAL SECRETARY,
— AUDITOR GENERAL,
— ATTORNEY GENERAL,
— GOLDSMITH,
— HAINES,
— GRIFFITH,
— ROSS,
— WILKINSON,
— SNODGRASS,
— CAMPBELL,
— MERCER,
— RUSSELL,
— DUNLOP,
— POHLMAN, (Teller.)

- 10 REGISTRAR OF COURT OF REQUESTS MELBOURNE.—Mr. Johnston pursuant to notice, moved that an Address be presented to the Lieutenant Governor, praying His Excellency to cause to be laid on the Table of this House, copies of all Correspondence (if any) which may have taken place between the Local Government, and the late Commissioner of the Court of Requests, respecting certain charges or imputations, reflecting upon the conduct of the Registrar of that Court in the discharge of his official duties, which appeared in some of the Public Journals of this City.
Question put and passed.
Address to be presented by the Speaker.
11. ACCOUNTS AGAINST GOVERNMENT.—Mr. Osborne pursuant to notice moved that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct that all accounts against the Government by Contractors and others shall be made out in due form, either by some person in the employment of the Government, or by the Department against which the amount is to be charged, upon full particulars being furnished by Contractors and others, in the manner usual amongst the trading community.
Question put and passed.
Address to be presented by the Speaker.
12. FEES TO PUBLIC OFFICERS ABOLISHMENT BILL.—The Solicitor General having presented a Bill to abolish the taking of Fees for their own use by Officers in the Public Service.
Bill read a first time, ordered to be printed, and read a second time on Thursday next.
13. POSTPONEMENT OF ORDERS OF THE DAY:—
On the Motion of Mr. Miller, on behalf of Mr. Smith, the second reading of the Savings Bank of Port Phillip Laws Amendment Bill, was postponed until Friday next.
On the Motion of the Solicitor General the following Orders of the Day were postponed until Thursday:
Vagrancy Act Amendment Bill—Second reading.
Public House Licensing Amendment Act Bill—Second reading; and
The following Orders of the Day were postponed until Friday next:
Interpretation of Acts' Bill—Third reading.
Gunpowder Bill—Third reading.
Melbourne and Geelong Police Rate Suspension Bill—Third reading.
Conveyance of Real Property Bill—To be considered in Committee.
On the Motion of the Auditor General the following Order of the Day was postponed until to-morrow:—
Estimates for 1851-1852—To be further considered in Committee.
14. DISTRESS BILL.—On the Motion of the Solicitor General the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with Amendments, the Council adopted the same, and ordered the Bill as so reported to be printed and read a third time on Friday next.
15. PRESERVATION OF PORTS AND PILOTAGE BILL.—On the Motion of the Solicitor General the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman reported the Bill with Amendments.
On the motion of the Solicitor General the Bill was recommitted, and the Chairman reported progress and obtained leave to sit again on Thursday next.
16. UNIFORM RATE OF POSTAGE BILL.—On the Motion of the Attorney General the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with Amendments, the Council adopted the same, and ordered the Bill as so reported to be printed and read a third time on Friday next.
17. POSTPONEMENT OF ORDER OF THE DAY.—On the Motion of the Attorney General the following Order of the Day was postponed until to-morrow:—
Administration of Justice Bill—to be further considered in Committee.
Council adjourned at half-past eleven o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, DECEMBER 17.

Government Business.

NOTICE OF MOTION :—

1. THE COLONIAL SECRETARY: To move that this House do meet for the dispatch of business on Saturday, 20th, and Monday, 22nd instant, as additional days for dispatch of business.

ORDERS OF THE DAY :—

1. ESTIMATES FOR 1851-1852.—To be further considered in Committee.
2. Consideration of Lieutenant Governor's Message, No. 6, proposing additional alterations for 1851-1852.
3. ADMINISTRATION OF JUSTICE BILL.—To be further considered in Committee.

Other Business.

NOTICES OF MOTION,

1. MR. FAWKNER: To move that this House do resolve itself into a Committee of the whole House to consider and prepare an Address to His Excellency the Lieutenant Governor, praying him to appoint a Registrar of Marriages, Births and Deaths for the Colony of Victoria, and that he will direct the Crown Law Officers to prepare and lay before this House, a Bill defining and legalizing the duties of said Officer. And that this House do pledge itself to make provision for the payment of the expenses contingent thereon.
2. MR. WESTGARTH: To move that the Petition from certain Captains of Vessels at Hobson's Bay, on the subject of the Water Police Administration, be referred to the Select Committee now sitting on the Harbour Master's Department.
3. MR. WESTGARTH: To move that the Petition of the Rev. Messrs. Jarrett and Ramsay, on the state of the Marriage Law of this Colony be printed.
4. MR. OSBORNE: To move that an Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to direct that a Survey may be made, as early as possible, of the Port Fairy Bar, with a view to its ultimate removal.

THURSDAY, DECEMBER 18.

NOTICE OF MOTION.

1. MR. WILKINSON: To move that an Address be presented to the Lieutenant Governor, requesting His Excellency to cause to be laid on the Table of the House, the following returns, namely,—
 - (1.) A Return showing the quantity of Waste Lands at Portland, which has been sold by auction since the first sale thereof, until the 31st day of October last, distinguishing Town, Urban, Suburban, Country, and Special Country Lots, with dates of sales, and the amounts for which the several classes of Lands were sold.
 - (2.) A Return showing the quantity and classes of Waste Lands in Portland, alienated during the same period, otherwise than by auction, with the amounts of consideration and the names of the Grantees.
 - (3.) A Return showing the quantity and description of Lands at Warrnambool which have been sold, since the date of the first sale of such lands, until the 31st of October last, with the prices realized for Town and Country Lands respectively, and also of Suburban, and Special Country Lots, if any have been sold, with the amount of purchase.

ORDERS OF THE DAY :—

1. Vagrancy Act Amendment Bill—Second reading.
2. Public House Licensing Amendment Act Bill—Second reading.
3. Fees to Public Officers Abolishment Bill—Second reading.
4. Preservation of Ports and Pilotage Bill—To be further considered in Committee.

FRIDAY, DECEMBER 19.

NOTICE OF MOTION :—

1. MR. FAWKNER: To move that it is imperative upon this House to provide means to pay the Police Force, and the Post Department, in the (so called) Intermediate and Unsettled Districts, and as those expenses have been hitherto paid out of the Assessment upon the Stock located in those Districts, and the present vote of Assessment not being sufficient for this purpose—That a Bill be brought in to amend the present rate of Assessment upon Sheep, Cattle and Horses, sufficient to meet these demands: And that leave be given to bring in a Bill charging a higher rate of Assessment upon all Stock grazing in those Districts, charging a discriminating sum, on those in the Near or Intermediate from those in the Distant or Unsettled Districts of this Province.

ORDERS OF THE DAY :—

1. Savings Bank of Port Phillip Laws Amendment Bill—Second reading.
2. Gunpowder Bill—Third reading.
3. Melbourne and Geelong Police Rate Suspension Bill—Third reading.
4. Conveyance of Real Property Bill—To be considered in Committee.
5. Interpretation of Acts Bill—Third reading.
6. Distress Bill—Third reading.
7. Uniform Rate of Postage Bill—Third reading.

J. F. PALMER,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

WEDNESDAY, 17th December, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. APPROVAL OF STANDING RULES AND ORDERS.—The Speaker reported that His Excellency the Lieutenant Governor had been pleased to approve the Standing Rules and Orders adopted by the Council.
3. PROPOSED ADDITIONAL APPROPRIATIONS FOR 1851–1852.—On the Motion of the Auditor General, the Lieutenant Governor's Message, No. 6, received on the 16th instant, proposing additional Appropriations for the year 1852, read and ordered to be considered in Committee of the whole Council on the Estimates for 1851–1852.
4. ESTIMATES FOR 1851–1852.—On the Motion of the Auditor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of the Estimates of Ways and Means and Probable Expenditure of the Colonial Government of Victoria for the year 1852, and Supplementary Estimate for the year 1851, accompanying the Financial Message of His Excellency the Lieutenant Governor on the 18th November, and the consideration of the rates proposed in His Excellency the Lieutenant Governor's several Messages, Nos. 5 and 6, in lieu of those set forth in the Estimates.
The Chairman reported progress, and obtained leave to sit again to-morrow.
5. DISPATCH OF BUSINESS.—The Colonial Secretary moved pursuant to notice, that this House do meet for dispatch of business on Saturday, 20th instant, at 1 o'clock, and on Monday, the 22nd instant, at 3 o'clock.
Question put and passed.
6. ADMINISTRATION OF JUSTICE BILL.—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported the Bill with amendments.
On the motion of the Attorney-General, the Bill was re-committed, and the Chairman having reported the Bill with further amendments, the Council adopted the Bill as amended, and ordered the Bill as so reported, to be printed, and read a third time on Friday next.
7. REGISTRAR OF BIRTHS, MARRIAGES, AND DEATHS.—On the motion of Mr. Fawcner, the Council resolved itself into a Committee of the whole House to consider and prepare an Address to His Excellency the Lieutenant Governor, praying him to appoint a Registrar of Marriages, Births and Deaths for the Colony of Victoria, and that he will direct the Crown Law Officers to prepare and lay before this House, a Bill, defining and legalizing the duties of said Officer. And that this House do pledge itself to make provision for the payment of the expenses contingent thereon.
The Chairman reported progress, and obtained leave to sit again this day six months.
8. HARBOUR MASTER'S DEPARTMENT.—Mr. Westgarth moved pursuant to Notice, that the Petition from certain Captains of Vessels at Hobson's Bay, on the subject of the Water Police Administration, be referred to the Select Committee now sitting on the Harbour Master's Department.
Debate ensued.
The Petition having been read on the Motion of Mr. Ross, was referred to the above Committee.
9. MARRIAGE LAWS.—Mr. Westgarth moved pursuant to Notice, that the Petition of the Rev. Messrs. Jarrett and Ramsay, on the state of the Marriage Law of this Colony be printed.
Question put and passed.
10. PORT FAIRY BAR.—Mr. Osborne moved, pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to direct that a Survey may be made, as early as possible, of the Port Fairy Bar, with a view to its ultimate removal.
Question put and passed.
Address to be presented by the Speaker.
Council adjourned at half-past eleven o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, DECEMBER 18.

Government Business.

ORDER OF THE DAY :—

1. ESTIMATES FOR 1851-1852.—To be further considered in Committee.

Other Business.

NOTICES OF MOTION.

1. MR. WILKINSON : To move that an Address be presented to the Lieutenant Governor, requesting His Excellency to cause to be laid on the Table of the House, the following returns, namely,—
 - (1.) A Return showing the quantity of Waste Lands at Portland, which has been sold by auction since the first sale thereof, until the 31st day of October last, distinguishing Town, Urban, Suburban, Country, and Special Country Lots, with dates of sales, and the amounts for which the several classes of Lands were sold.
 - (2.) A Return showing the quantity and classes of Waste Lands in Portland, alienated during the same period, otherwise than by auction, with the amounts of consideration and the names of the Grantees.
 - (3.) A Return showing the quantity and description of Lands at Warrnambool which have been sold, since the date of the first sale of such lands, until the 31st of October last, with the prices realized for Town and Country Lands respectively, and also of Suburban, and Special Country Lots, if any have been sold, with the amount of purchase.
2. THE ATTORNEY GENERAL : To move for leave to bring in a Bill to Incorporate the Board of Commissioners for National Education.
3. MR. MURPHY : To move that this Council do affirm the following resolutions :—
 - (1.) That this House is of opinion, that the Gold Mines of the Colony ought to yield a revenue commensurate with the profits derived from them, and which would be available, in remedying the evils attendant upon their discovery and working, by affording means for purposes of Immigration, and for the social and moral improvement of the country.
 - (2.) That the present system of granting Monthly Licenses to dig for Gold, is unproductive as a source of revenue, is unequal and vexatious in its operation as regards the miners, and as a state measure is expensive and obscure in its details.
 - (3.) That a per centage on the produce of the mines, to a moderate amount, in the form of a duty to be levied under the authority of the Legislative Council, would in the opinion of this House, be a measure likely to prove satisfactory to the Colonists and beneficial to the public interests—the rights of the Crown and of the mining population in the works, being recognized and secured by a stated fee, sufficient only for these purposes.
 - (4.) That these resolutions be embodied in an Address and presented to His Excellency the Lieutenant Governor by the Speaker and the Colonial Secretary.

ORDERS OF THE DAY :—

1. Vagrancy Act Amendment Bill—Second reading.
2. Public House Licensing Amendment Act Bill—Second reading.
3. Fees to Public Officers Abolishment Bill—Second reading.
4. Preservation of Ports and Pilotage Bill—To be further considered in Committee.

FRIDAY, DECEMBER 19.

NOTICES OF MOTION :—

1. MR. FAWKNER : To move that it is imperative upon this House to provide means to pay the Police Force, and the Post Department, in the (so called) Intermediate and Unsettled Districts, and as those expenses have been hitherto paid out of the Assessment upon the Stock located in those Districts, and the present vote of Assessment not being sufficient for this purpose—That a Bill be brought in to amend the present rate of Assessment upon Sheep, Cattle and Horses, sufficient to meet these demands : And that leave be given to bring in a Bill charging a higher rate of Assessment upon all Stock grazing in those Districts, charging a discriminating sum, on those in the Near or Intermediate from those in the Distant or Unsettled Districts of this Province.

ORDERS OF THE DAY :—

1. Savings Bank of Port Phillip Laws Amendment Bill—Second reading.
2. Gunpowder Bill—Third reading.
3. Melbourne and Geelong Police Rate Suspension Bill—Third reading.
4. Conveyance of Real Property Bill—To be considered in Committee.
5. Interpretation of Acts Bill—Third reading.
6. Distress Bill—Third reading.
7. Uniform Rate of Postage Bill—Third reading.
8. Administration of Justice Bill—Third reading.

J. F. PALMER,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

THURSDAY, 18th December, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. SUPPLEMENTARY ESTIMATE, 1852.—The following Messages from His Excellency received and read.

C. J. LA TROBE,

LIEUTENANT GOVERNOR.

Message, No. 7.

With reference to the measures now passing under the consideration of the Legislature, for the Establishment of a Supreme Court of Victoria, and for the better Administration of Justice in this Colony, The Lieutenant Governor herewith submits to the Council, in accordance with the intimation contained in Paragraph No. 35, of the Financial Minute of the 1st November, 1851, an Estimate of the provision which the necessary arrangements for the purposes contemplated, will probably require in the year 1852.

Government Offices,

Melbourne, 18th December, 1851.

Ordered to be printed with the accompanying statement, and taken into consideration in Committee on the Estimates this day.

C. J. LA TROBE,

LIEUTENANT GOVERNOR.

Message, No. 8.

The Lieutenant Governor transmits to the Legislative Council an Amended Estimate for the undermentioned services—

Melbourne Gaol,

Harbour Master, Port Albert,

and also, in compliance with the intimation made in the opening Address to the Council, a modified Estimate under the head of Education, framed to meet the views of the Legislative Body.

Government Offices,

Melbourne, 18th December, 1851.

Ordered to be printed with the accompanying statement, and taken into consideration in Committee on the Estimates this day.

3. GOLD.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the Table the Return to the Address on this subject, adopted on Motion of Mr. Murphy on 18th November.
4. HARBOUR MASTER, MELBOURNE.—The Chairman of the Committee on the Harbour Master's Department having brought up the First Report from the Committee, the same was ordered to be printed and referred to the Committee of the whole on the Estimates. The Chairman then asked and obtained leave of the Council to make a further Report on this subject.
5. NATIONAL EDUCATION BOARD INCORPORATION BILL.—The Attorney General moved, pursuant to notice, That he have leave to bring in "A Bill to Incorporate the Board of Commissioners for National Education." Question put and passed. Ordered that the mover and seconder prepare and bring in the Bill.
6. POSTPONEMENTS OF ORDERS OF THE DAY:—
On the Motion of the Attorney General the following Orders of the Day were postponed until to-morrow:
Vagrancy Act Amendment Bill—Second reading.
Public House Licensing Amendment Act Bill—Second reading.
Fees to Public Officers Abolishment Bill—Second reading.
7. PRESERVATION OF PORTS AND PILOTAGE BILL.—On the Motion of the Solicitor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.
The Chairman having reported the Bill with Amendments, the Council ordered the adoption of the Report to stand an Order of the Day for to-morrow.
8. ESTIMATES FOR 1851-1852.—On the Motion of the Auditor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of the Estimates of Ways and Means and Probable Expenditure of the Colonial Government of Victoria for the year 1852, and Supplementary Estimate for the year 1851, accompanying the Financial Message of His Excellency the Lieutenant Governor on the 18th November, and the consideration of the items and rates proposed in His Excellency the Lieutenant Governor's several Messages, Nos. 5, 6, 7 and 8, in lieu of those set forth in the Estimates.
The Chairman reported progress, and obtained leave to sit again on Saturday.

9. NATIONAL EDUCATION BOARD INCORPORATION BILL.—The Attorney General having presented the Bill, intitled, "*A Bill to incorporate the Board of Commissioners for National Education.*"
Bill read a first time, ordered to be printed, and read a second time to-morrow.
10. WITHDRAWAL OF NOTICE OF MOTION.—Mr. Wilkinson, with leave of the Council, withdrew the Motion standing in his name, No. 1, on the Notice Paper of to-day.
11. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Murphy postponed the Motion standing in his name, No. 3, on the Notice Paper of to-day, until to-morrow.
Council adjourned at half-past ten o'clock, until three o'clock to-morrow.

FRIDAY, DECEMBER 19.

NOTICES OF MOTION :—

1. MR. FAWKNER : To move that it is imperative upon this House to provide means to pay the Police Force, and the Post Department, in the (so called) Intermediate and Unsettled Districts, and as those expenses have been hitherto paid out of the Assessment upon the Stock located in those Districts, and the present vote of Assessment not being sufficient for this purpose—That a Bill be brought in to amend the present rate of Assessment upon Sheep, Cattle and Horses, sufficient to meet these demands : And that leave be given to bring in a Bill charging a higher rate of Assessment upon all Stock grazing in those Districts, charging a discriminating sum, on those in the Near or Intermediate from those in the Distant or Unsettled Districts of this Province.
2. THE SOLICITOR GENERAL : To move for leave to bring in a Bill to regulate the appointment of a Chairman for Courts of General and Quarter Sessions in the Colony of Victoria.
3. MR. MURPHY : To move that this Council do affirm the following resolutions :—
 - (1.) That this House is of opinion, that the Gold Mines of the Colony ought to yield a revenue commensurate with the profits derived from them, and which would be available, in remedying the evils attendant upon their discovery and working, by affording means for purposes of Immigration, and for the social and moral improvement of the country.
 - (2.) That the present system of granting Monthly Licenses to dig for Gold, is unproductive as a source of revenue, is unequal and vexatious in its operation as regards the miners, and as a state measure is expensive and obscure in its details.
 - (3.) That a per centage on the produce of the mines, to a moderate amount, in the form of a duty to be levied under the authority of the Legislative Council, would in the opinion of this House, be a measure likely to prove satisfactory to the Colonists and beneficial to the public interests—the rights of the Crown and of the mining population in the works, being recognized and secured by a stated fee, sufficient only for these purposes.
 - (4.) That these resolutions be embodied in an Address and presented to His Excellency the Lieutenant Governor by the Speaker and the Colonial Secretary.

ORDERS OF THE DAY :—

1. Interpretation of Acts Bill—Third reading.
2. Savings Bank of Port Phillip Laws Amendment Bill—Second reading.
3. Gunpowder Bill—Third reading.
4. Melbourne and Geelong Police Rate Suspension Bill—Third reading.
5. Conveyance of Real Property Bill—To be considered in Committee.
6. Distress Bill—Third reading.
7. Uniform Rate of Postage Bill—Third reading.
8. Administration of Justice Bill—Third reading.
9. Vagrancy Act Amendment Bill—Second reading.
10. Public House Licensing Amendment Act Bill—Second reading.
11. Fees to Public Officers Abolishment Bill—Second reading.
12. Preservation of Ports and Pilotage Bill.—Reported.—Adoption of the Report.
13. National Education Incorporation Bill.—Second Reading.

SATURDAY, DECEMBER 20.

NOTICE OF MOTION—

1. MR. WILKINSON : To move that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to order—
 - (1.) That a general Survey of Portland Bay be undertaken, at as early a period as practicable, with the view of examining into the capabilities and requirements of the Port for the purpose of extended commerce, and determining upon the most eligible sites for Wharves conveniently to the Anchorage.
 - (2.) That a general Survey of the Bay at Warrnambool be made at the same time, for a similar purpose.

ORDER OF THE DAY :—

1. ESTIMATES FOR 1851—1852.—To be further considered in Committee.

J. F. PALMER,
Speaker.

No. 24.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

FRIDAY, 19th December, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. WITHDRAWAL OF NOTICE OF MOTION.—Mr. Fawkner, with leave of the Council, withdrew the Motion standing in his name, No. 1, on the Notice Paper of to-day.
3. CHAIRMAN OF QUARTER SESSIONS APPOINTMENT BILL.—The Solicitor General moved, pursuant to notice, that he have leave to bring in a Bill to regulate the appointment of a Chairman for Courts of General and Quarter Sessions in the Colony of Victoria.
Question put and passed.
Ordered that the mover and seconder prepare and bring in the Bill.
4. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Murphy, with leave of the Council, postponed the Motion standing in his name, No. 3, on the Notice Paper of to-day until to-morrow.
5. INTERPRETATION OF ACTS BILL.—The Chairman of Committees having certified that the fair print of this Bill was in accordance with the Bill as reported with its amendments, Bill, on the motion of the Attorney General, read a third time and *passed*.
The Attorney General then moved that the following be the title to the Bill, viz.—
“An Act to Interpret and Shorten the Language of Acts of Council.”
Question put and passed.
6. SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL.—Mr. Smith moved, pursuant to notice, that this Bill be now read a second time.
Question put and passed.
Bill read a second time, and ordered to be considered in Committee to-morrow.
7. GUNPOWDER BILL.—The Chairman of Committees having certified that the fair print of this Bill was in accordance with the Bill as reported with its amendments, Bill on the motion of the Solicitor General, read a third time and *passed*.
The Solicitor General then moved that the following be the title to the Bill, viz.—
“An Act to regulate for a limited time the Exportation of Gunpowder and Munitions of War from the Colony of Victoria.”
Question put and passed.
8. MELBOURNE AND GEELONG POLICE RATE SUSPENSION BILL.—The Chairman of Committees having certified that the fair print of this Bill was in accordance with the Bill as reported with its amendments, Bill, on the motion of the Solicitor General read a third time and *passed*.
The Solicitor General then moved that the following be the title to the Bill, viz.—
“An Act to suspend for one year so much of the Acts to incorporate the Inhabitants of the City of Melbourne and the Town of Geelong respectively, as relates to the estimating and levying a rate for the Police of the same.”
Question put and passed.
9. DISTRESS BILL.—The Chairman of Committees having certified that the fair print of this Bill was in accordance with the Bill as reported with its amendments.
The Solicitor General moved an amendment in Schedule B. (to wit) by the insertion in the sixth line of such Schedule after the word “Goods” the words “and Chattels.”
Question put and passed.
The Bill was then on the motion of the Solicitor General read a third time and *passed*.
The Solicitor General then moved that the following be the title to the Bill, viz.—
“An Act to regulate Distress and proceedings therein.”
Question put and passed.
10. POSTPONEMENT OF ORDER OF THE DAY.—On the Motion of the Attorney General, the following Order of the day was postponed until to-morrow,
Administration of Justice Bill.—Third reading.
11. VAGRANCY ACT AMENDMENT BILL.—The Attorney General moved, pursuant to notice that this Bill be “now” read a second time.
Mr. Rutledge moved as an amendment that the word “now” be omitted, and that after the word “time” the words “on Monday next” be added.
Mr. Johnston moved as a further amendment that the words “Monday next” be omitted, with a view to insert the words “this day six months.”
Debate ensued.
Question that the word “now” proposed to be omitted stand part of the question—put.

Council divided.

Ayes 13.

THE COLONIAL SECRETARY,
 — ATTORNEY GENERAL,
 — SOLICITOR GENERAL,
 — AUDITOR GENERAL,
 — MASTER IN EQUITY,
 MR. GOLDSMITH,
 — GRIFFITH,
 — ROSS,
 — SNODGRASS,
 — MERCER,
 — HAINES,
 — RUSSELL,
 — OSBORNE, (Teller.)

Noes 11.

MR. JOHNSTON,
 — O'SHANASSY,
 — FAWKNER,
 — SMITH,
 — WILKINSON,
 — STRACHAN,
 — CAMPBELL,
 — SPLATT,
 — RUTLEDGE,
 — MURPHY,
 — MILLER, (Teller.)

The original question, That this Bill be now read a second time, put.
 Council divided.

Ayes 17.

THE COLONIAL SECRETARY,
 — ATTORNEY GENERAL,
 — SOLICITOR GENERAL,
 MR. OSBORNE,
 THE AUDITOR GENERAL,
 MR. GRIFFITH,
 — GOLDSMITH,
 — ROSS,
 — SNODGRASS,
 — MERCER,
 — HAINES,
 — RUSSELL,
 — RUTLEDGE,
 — SPLATT,
 — CAMPBELL,
 — MURPHY,
 — POHLMAN, (Teller.)

Noes 7.

MR. JOHNSTON,
 — O'SHANASSY,
 — FAWKNER,
 — SMITH,
 — WILKINSON,
 — STRACHAN,
 — MILLER, (Teller.)

On the motion of the Attorney General the Bill was ordered to be considered in Committee to-morrow.

12. PUBLIC HOUSE LICENSING AMENDMENT ACT BILL.—The Attorney General moved, pursuant to notice, that this Bill be now read a second time.
 Debate ensued.
 Question put and passed.
 Bill read a second time, and ordered to be considered in Committee to-morrow.
13. FEES TO PUBLIC OFFICERS ABOLISHMENT BILL.—The Solicitor General moved pursuant to notice, that this Bill be now read a second time.
 Debate ensued.
 Question put and passed.
 Bill read a second time, and ordered to be considered in Committee to-morrow.
14. PRESERVATION OF PORTS AND PILOTAGE BILL.—Reported.
 On the motion of the Solicitor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill. The Chairman having reported the Bill with further Amendments, the Council adopted the Bill as amended, and ordered the Bill as so reported, to be fair printed, and read a third time on Monday.
15. NATIONAL EDUCATION BOARD INCORPORATION BILL.—The Attorney General moved pursuant to Notice, That this Bill be now read a second time.
 Question put and passed-
 Bill read a second time and ordered to be considered in Committee to-morrow.
16. UNIFORM RATE OF POSTAGE BILL.—On the Motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.
 The Chairman reported progress, and obtained leave to sit again to-morrow.
 Council adjourned at quarter to eight o'clock, until one o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

SATURDAY, DECEMBER 20.

NOTICES OF MOTION—

1. MR. WILKINSON : To move that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to order—
 (1.) That a general Survey of Portland Bay be undertaken, at as early a period as practicable, with the view of examining into the capabilities and requirements of the Port for the purpose of extended commerce, and determining upon the most eligible sites for Wharves conveniently to the Anchorage.

- (2.) That a general Survey of the Bay at Warrnambool be made at the same time, for a similar purpose.
2. MR OSBORNE: To move that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to place upon the Estimates for 1852, the sum of £50 to meet the expense of Medical attendance upon Prisoners, Constables, Immigrants and others at Belfast.
3. MR. MURPHY: To move that this Council do affirm the following resolutions:—
- (1.) That this House is of opinion, that the Gold Mines of the Colony ought to yield a revenue commensurate with the profits derived from them, and which would be available, in remedying the evils attendant upon their discovery and working, by affording means for purposes of Immigration, and for the social and moral improvement of the country.
- (2.) That the present system of granting Monthly Licenses to dig for Gold, is unproductive as a source of revenue, is unequal and vexatious in its operation as regards the miners, and as a state measure is expensive and obscure in its details.
- (3.) That a per centage on the produce of the mines, to a moderate amount, in the form of a duty to be levied under the authority of the Legislative Council, would in the opinion of this House, be a measure likely to prove satisfactory to the Colonists and beneficial to the public interests—the rights of the Crown and of the mining population in the works, being recognized and secured by a stated fee, sufficient only for these purposes.
- (4.) That these resolutions be embodied in an Address and presented to His Excellency the Lieutenant Governor by the Speaker and the Colonial Secretary.

ORDERS OF THE DAY:—

1. ESTIMATES FOR 1851–1852.—To be further considered in Committee.
2. Savings Bank of Port Phillip Laws Amendment Bill—Third reading.
3. Administration of Justice Bill—Third reading.
4. Vagrancy Act Amendment Bill—To be considered in Committee.
5. Public House Licensing Amendment Act Bill—To be considered in Committee.
6. Fees to Public Officers Abolishment Bill—To be considered in Committee.
7. National Education Board Incorporation Bill.—To be considered in Committee.
8. Uniform Rate of Postage Bill—To be considered in Committee.

MONDAY, DECEMBER 22.

ORDER OF THE DAY:—

- 1 Preservation of Ports and Pilotage Bill—Third reading.

J. F. PALMER,

Speaker.

No. 25.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

SATURDAY, 20th December, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. MELBOURNE GAS AND COKE COMPANY INCORPORATION BILL.—Mr. Miller, as Chairman, brought up the Report from the Select Committee for whose consideration and report this Bill was referred on the 12th instant, and moved that the Report be read and received.
Report read.
3. POSTAGE BILL.—The following Message from His Excellency received and read.

C. J. LA TROBE,

LIEUTENANT GOVERNOR.

Message, No. 9.

With reference to the proposed Bill to amend the present Postage Act, the Lieutenant Governor deems it his duty to place before the Legislative Council, a Copy of a Despatch from Her Majesty's Secretary of State, which has just reached him.

The omission pointed out by Lord Grey, if not provided for, might peril the continuance of the Act now in force; The Lieutenant Governor has therefore deemed it advisable under the circumstances to direct the Law Officers of the Crown to withdraw the present Bill, and introduce with all despatch a Bill, transcribing all the unobjectionable Clauses of the present Act, embodying the provisions of the Bill now before the Council, and providing for the objection pointed out by the Secretary of State.

Government Offices,

Melbourne, 20th December, 1851.

Ordered to be printed with the accompanying Despatch and taken into consideration immediately.

4. MELBOURNE GAS AND COKE COMPANY INCORPORATION BILL.—The Debate on the reception of the Report interrupted by the above Message was resumed.
The Solicitor General moved, That the Select Committee on this Bill be directed to re-assemble for the purpose of reporting, whether the Committee shall have agreed that the Preamble thereof had been proved to their satisfaction.
Debate ensued.
Question, that this Report be received—put and carried.
5. SURVEYS OF PORTLAND AND WARRNAMBOOL BAYS.—Mr. Wilkinson moved pursuant to notice, that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to order—
(1.) That a general Survey of Portland Bay be undertaken, at as early a period as practicable, with the view of examining into the capabilities and requirements of the Port for the purpose of extended commerce, and determining upon the most eligible sites for Wharves conveniently to the Anchorage.
(2.) That a general Survey of the Bay at Warrnambool be made at the same time, for a similar purpose.
Question put and passed.

Address to be presented by the Speaker.

6. GOLD.—Mr. Murphy moved, pursuant to notice, that this Council do affirm the follow resolutions :—
(1.) That this House is of opinion, that the Gold Mines of the Colony ought to yield a revenue commensurate with the profits derived from them, and which would be available, in remedying the evils attendant upon their discovery and working, by affording means for purposes of Immigration, and for the social and moral improvement of the country.
(2.) That the present system of granting Monthly Licenses to dig for Gold, is unproductive as a source of revenue, is unequal and vexatious in its operation as regards the miners, and as a state measure is expensive and obscure in its details.
(3.) That a per centage on the produce of the mines, to a moderate amount, in the form of a duty to be levied under the authority of the Legislative Council, would in the opinion of this House, be a measure likely to prove satisfactory to the Colonists and beneficial to the public interests—the rights of the Crown and of the mining population in the works, being recognized and secured by a stated fee, sufficient only for these purposes.
(4.) That these resolutions be embodied in an Address and presented to His Excellency the Lieutenant Governor by the Speaker and the Colonial Secretary.
Debate ensued.
On the motion of Mr. Pohlman, the debate on this subject was adjourned until Monday.

7. **UNIFORM RATE OF POSTAGE BILL.**—On the motion of the Attorney-General, the Speaker left the chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.
The Chairman reported, that the Committee considered it advisable that the matter referred to the Committee should proceed by new Bill.
8. **SUSPENSION OF STANDING ORDER.**—The Attorney General then moved the Suspension of the Standing Order, No. 17, in order to enable him to give Notice of his intention, to move on Monday, the 22nd instant, for leave to bring in a Bill to consolidate and amend the Law for Conveyance and Postage of Letters.
Question put and passed.
9. **POSTPONEMENTS OF ORDERS OF THE DAY :—**
On the Motion of the Auditor General, the following Order of the day was postponed until Monday next.
ESTIMATES FOR 1851–1852.—To be further considered in Committee.
On the Motion of Mr. Smith, the following Order of the day was postponed until Monday.
Savings Bank of Port Phillip Laws Amendment Bill, to be considered in Committee.
On the Motion of the Attorney General the following Orders of the Day were postponed until to-morrow :
Administration of Justice Bill—Third reading.
Vagrancy Act Amendment Bill—To be considered in Committee.
Public House Licensing Amendment Act Bill—To be considered in Committee.
Fees to Public Officers Abolishment Bill—To be considered in Committee.
National Education Board Incorporation Bill.—To be considered in Committee.
Council adjourned at quarter to five, until two o’Clock on Monday.

NOTICES OF MOTION AND ORDERS OF THE DAY.

MONDAY, DECEMBER 22.

NOTICES OF MOTION—

1. **ADJOURNED DEBATE** on Resolutions moved by Mr. Murphy.
2. **THE ATTORNEY GENERAL :** To move for leave to bring in a Bill to consolidate and amend the law for conveyance and Postage of Letters.
3. **MR. MILLER :** To move the second reading of the City of Melbourne Gas and Coke Company’s Bill.
4. **MR. MILLER :** To move that the House do resolve itself into a Committee of the whole House, to consider the propriety of moving an Address to His Excellency the Lieutenant Governor, praying His Excellency to place on the Estimates, a further sum of £6000, for the construction and repairs of Roads and Bridges within and beyond the Settled Districts.
5. **MR. SNODGRASS :** To move that the House do resolve itself into Committee of the whole House, to consider the propriety of presenting an Address to His Excellency the Lieutenant Governor, requesting His Excellency to place upon the Estimates, the sum of One hundred pounds as a Queen’s Plate, to be run for on the ensuing Melbourne Races.

ORDERS OF THE DAY :—

1. Preservation of Ports and Pilotage Bill—Third reading.
2. Estimates for 1851–1852.—To be further considered in Committee.
3. Savings Bank of Port Phillip Laws Amendment Bill—To be considered in Committee.
4. Administration of Justice Bill.—Third reading.
5. Vagrancy Act Amendment Bill.—To be considered in Committee.
6. Public House Licensing Amendment Act Bill.—To be considered in Committee.
7. Fees to Public Officers Abolishment Bill—To be considered in Committee.
8. National Education Board Incorporation Bill—To be considered in Committee.

J. F. PALMER,

Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

MONDAY, 22nd December, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. ADDRESSES.—The Speaker announced to the Council, that he had, pursuant to the Resolutions of this Council, presented the following Addresses to His Excellency the Lieutenant Governor, viz. :—
 - No. 16. Mount Rouse Aboriginal Station—adopted on the 16th instant, on the motion of Mr. Fawkner :
 - No. 18. Registrar of Court of Requests, Melbourne—adopted on the 16th instant, on the motion of Mr. Johnston :

And that His Excellency had in reply to such Addresses been pleased to state that the request of the Council in the above Addresses should be complied with.

 - No. 17. Road from Geelong to Bates' Ford—adopted on the 16th instant, on the motion of Mr. Strachan :

And that His Excellency had in reply to such Address been pleased to state that he would place no obstacle in the way of the wish of the Council being complied with, as he had little doubt but the Revenue of the year would justify that course, at the same time he would draw its attention to the remark in paragraph twenty-nine in his Address on opening this Session of the Council.

 - No. 19. Accounts against Government—adopted on the 16th instant, on the motion of Mr. Osborne :

And that His Excellency had in reply to such Address been pleased to state that he would instruct the Heads of Departments to give every facility, but present arrangements would not allow of his at once engaging to carry out the wish of the Council.

 - No. 20. Adopted on the 17th instant, on the motion of Mr. Osborne :

And that His Excellency had in reply to such Address been pleased to state that whenever an opportunity might offer he would bear the wishes of the Council in mind.
3. GOLD.—The adjourned debate, on the motion of Mr. Murphy, that this Council do affirm the following Resolutions—
 - (1.) "That" this House is of opinion, that the Gold Mines of the Colony ought to yield a "revenue" commensurate with the profits derived from them, and which would be available, in remedying the evils attendant upon their discovery and working, by affording means for purposes of Immigration, and for the social and moral improvement of the country.
 - (2.) That the present system of granting Monthly Licenses to dig for "Gold," is unproductive as a source of revenue, is unequal and vexatious in its operation as regards the miners, and as a state measure is expensive and obscure in its details.
 - (3.) That a per centage on the produce of the mines, to a moderate amount, in the form of a duty to be levied under the authority of the Legislative Council, would in the opinion of this House, be a measure likely to prove satisfactory to the Colonists and beneficial to the public interests—the rights of the Crown and of the mining population in the works, being recognized and secured by a stated fee, sufficient only for these "purposes."
 - (4.) That these resolutions be embodied in an Address and presented to His Excellency the Lieutenant Governor by the Speaker and the Colonial Secretary; Resumed.

Debate ensued.

Mr. Miller moved as an amendment, that after the word "Revenue" in the first Resolution, all other words in that Resolution be omitted with a view to insert the words, "sufficient to defray the additional expenditure caused by their discovery and working," and that after the word "Gold" in the second resolution, the words "is unproductive as a source of Revenue" be omitted.

Question that the words proposed to be omitted, stand part of the question put and negatived.

Question, that the words proposed to be inserted, be so inserted. Put and carried.

Mr. Dunlop moved as a further amendment, that all the words following the word "That" in the first Resolution unto and inclusive of the word "purposes" at the end of the third Resolution be omitted, with a view to insert the words following, "this house fully recognises the rights of the Crown in the precious metals of this Colony, and desires that no measure should be taken to injure or impair these rights.

 - (2.) That due regard should at all times be had to the interests of those who may from time to time be industriously employed in the mines of this country.

(3.) That this House is at the same time of opinion, that the Gold mines now worked in this Colony, should yield a return to the ordinary revenue of the Colony as on a percentage of the produce of these mines, and commensurate with the great additional expenses of the Government, consequent on the discovery and working of these mines, and such as will enable the Government to counteract the moral and social evils, which the present system of the working of these mines is calculated to entail on the community."

Question, that the words proposed to be omitted, stand part of the question, put and carried.

Original question as amended put.

Council divided.

Ayes 18.

MR. OSBORNE,
— CAMPBELL,
— SPLATT,
— FAWKNER,
— O'SHANASSY,
— ROBINSON,
— GOLDSMITH,
— ROSS,
— STRACHAN,
— WILKINSON,
— TURNBULL,
— SNODGRASS,
— JOHNSTON,
— DIGHT,
— MILLER,
— RUTLEDGE,
— WESTGARTH,
— MURPHY, (Teller).

Noes 11.

THE SOLICITOR GENERAL,
MR. DUNLOP,
— HAINES,
— SMITH,
— RUSSELL,
— GRIFFITH,
THE AUDITOR GENERAL,
— ATTORNEY GENERAL,
— MASTER IN EQUITY,
— COLONIAL SECRETARY,
— MERCER, (Teller).

5. POSTAGE BILL.—The Attorney General moved, pursuant to notice, that he have leave to bring in "A Bill to consolidate and amend the Law for Conveyance and Postage of Letters."
Question put and passed.
Ordered that the mover and seconder prepare and bring in the Bill.
6. MELBOURNE GAS AND COKE COMPANY INCORPORATION BILL.—Mr. Miller moved, pursuant to notice, that this Bill be now read a second time.
Bill read a second time, and ordered to be considered in Committee on Tuesday the 30th instant.
7. ROADS AND BRIDGES.—On the motion of Mr. Miller, pursuant to notice, the Speaker left the chair, and the Council resolved itself into a Committee for the purpose of considering the propriety of moving an Address to His Excellency the Lieutenant Governor, praying His Excellency to place on the Estimates, a further sum of £6000, for the construction and repairs of Roads and Bridges within and beyond the Settled Districts.
The Chairman having reported that the Committee had resolved that an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to place on the Estimates a further sum of £6000 for the Construction and Repairs of Roads and Bridges within and beyond the Settled Districts, the Council adopted such Report.
8. QUEEN'S PLATE.—On the motion of Mr. Snodgrass, the Speaker left the chair, and the Council resolved itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Lieutenant Governor, requesting His Excellency to place upon the Estimates, the sum of One hundred pounds as a Queen's Plate, to be run for on the ensuing Melbourne Races.
The Chairman reported progress, and obtained leave to sit again this day six months.
9. HARBOUR MASTER, MELBOURNE.—Mr. Dunlop, as Chairman of the Select Committee, brought up a further Report from the Committee on the State of the Harbour Master's Department at Williamstown.
The Report together with the evidence taken before the Committee was ordered to be printed, and referred to the Committee of the whole on the Estimates.
10. PRESERVATION OF PORTS AND PILOTAGE BILL.—The Chairman of Committees having certified that the fair print of this Bill was in accordance with the Bill as reported with its amendments.
Bill on the motion of the Solicitor General, read a third time and passed.
The Solicitor General then moved that the following be the title to the Bill, viz:—"An Act to alter an Act intituled an Act further to amend an Act intituled an Act for the better preservation of the Ports, Harbours, Havens, Roadsteads, Channels, Navigable Creeks and Rivers in New South Wales, and the better regulation of Shipping in the same, and to provide for the rate of Pilotage in the several Harbours in the Colony of Victoria."
Question put and passed.
11. ESTIMATES FOR 1851-1852.—On the motion of the Auditor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for a further consideration of the Estimates of Ways and Means and Probable Expenditure of the Colonial Government of Victoria for the year 1852, and Supplementary Estimate for the year 1851, accompanying the Financial Message of His Excellency the Lieutenant Governor on the

18th November, and the consideration of the items and rates proposed in His Excellency the Lieutenant Governor's several Messages, Nos. 5, 6, 7, and 8, in lieu of those set forth in the Estimates.

The Chairman reported progress and obtained leave to sit again, when a certain point of Order which had arisen in the Committee shall have been determined.

And the Council being informed that a point of Order had been raised in the Committee concerning the Report from the Select Committee on the Harbour Master's Department, Melbourne—that the Report not having been adopted by the Council, it was irregularly brought before the Committee, the Attorney General moved, "That" the Report presented by the Select Committee on the state of the Harbour Master's Department, Melbourne, be taken into consideration by this Council on Tuesday, the 30th instant.

Mr. O'Shanassy moved as an amendment, That all the words after the word "That" be omitted, with a view to insert the words following, viz :—"A printed copy of the Report be transmitted to the Harbour Master, with a view to afford him an opportunity to defend himself from the charges contained therein, and that the Report be taken into consideration on Tuesday, the 30th instant.

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

Question—that the words proposed to be inserted be so inserted, put and carried.

Question as so amended put and carried.

13. ESTIMATES FOR 1851-1852.—On the motion of the Auditor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of the Estimates of Ways and Means and Probable Expenditure of the Colonial Government of Victoria for the year 1852, and Supplementary Estimate for the year 1851, accompanying the Financial Message of His Excellency the Lieutenant Governor on the 18th November, and the consideration of the items and rates proposed in His Excellency the Lieutenant Governor's several Messages, Nos. 5, 6, 7 and 8, in lieu of those set forth in the Estimates.

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

14. SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL.—On the motion of Mr. Smith the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the day for Monday next.

15. LEAVE OF ABSENCE.—On the motion of Mr. Osborne leave of absence was granted to him by the Council for the period of two months from this date.

16. UNIFORM RATE OF POSTAGE BILL.—The Attorney General having presented a Bill to amend the Law for the conveyance and Postage of Letters.

Bill read a first time, ordered to be printed, and read a second time on Monday next.

17. ADMINISTRATION OF JUSTICE BILL.—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.

The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill as so reported to be fair printed and read a third time to-morrow.

18. ADJOURNMENT.—Mr. Fawkner moved that this House do now adjourn.

Question put.

Council divided.

Ayes 8.

MR. FAWKNER,
— STRACHAN,
— JOHNSTON,
— WESTGARTH,
— DIGHT,
— WILKINSON,
— MILLER,
— O'SHANASSY, (Teller.)

Noes 15.

MR. BARRY,
— STAWELL,
— OSBORNE,
— MERCER,
— GOLDSMITH,
— LONSDALE,
— MURPHY,
— GRIFFITH,
— ROSS,
— CAMPBELL,
— SNODGRASS,
— POHLMAN,
— EBDEN,
— HAINES,
— DUNLOP, (Teller.)

19. VAGRANCY ACT AMENDMENT BILL.—On the motion of the Attorney General, the Speaker left the chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.

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

20. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney General, the following Orders of the Day were postponed until to-morrow:—

Public House Licensing Amendment Bill.—To be considered in Committee.

Fees to Public Officers Abolishment Bill.—To be considered in Committee.

National Education Board Incorporation Bill.—To be considered in Committee.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, DECEMBER 23.

NOTICES OF MOTION—

1. THE AUDITOR GENERAL: To move for leave to bring in a Bill for applying certain Sums arising from the Revenue receivable in Victoria to the service thereof, for the year 1852: and for further appropriating the said Revenue.
2. THE COLONIAL SECRETARY: To move that the House at its rising to-day, do adjourn until Monday the 29th, at Three o'Clock.

ORDERS OF THE DAY:—

1. Estimates for 1851–1852.—To be further considered in Committee.
2. Administration of Justice Bill.—Third reading.
3. Vagrancy Act Amendment Bill.—To be considered in Committee.
4. Public House Licensing Amendment Act Bill.—To be considered in Committee.
5. Fees to Public Officers Abolishment Bill.—To be considered in Committee.
6. National Education Board Incorporation Bill.—To be considered in Committee.

 MONDAY, DECEMBER 29.

ORDERS OF THE DAY:—

1. Savings Bank of Port Phillip Laws Amendment Bill—Adoption of Report.
2. Uniform Rate of Postage Bill—Second reading.

 TUESDAY, DECEMBER 30.

ORDERS OF THE DAY:

1. Melbourne Gas and Coke Company Incorporation Bill.—To be considered in Committee.
2. Harbour Master, Melbourne.—Report of Select Committee to be considered.

J. F. PALMER,

Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

TUESDAY, 23rd December, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. APPROPRIATION BILL, 1852.—The Auditor General having pursuant to notice moved for and obtained leave to bring in a Bill for applying certain Sums arising from the Revenue receivable in Victoria to the service thereof, for the year 1852; and for further appropriating the said Revenue.
Bill read a first time, ordered to be printed, and read a second time on Monday next.
3. ADJOURNMENT OF THE COUNCIL.—The Colonial Secretary, pursuant to notice, moved, That the Council at its rising this day do adjourn until Monday next the 29th instant at Three o'Clock.
Question put and passed.
4. REGISTRAR OF COURT OF REQUESTS, MELBOURNE.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the Table the Return to the Address on this subject, adopted on the motion of Mr. Johnston, on the 16th instant.
Ordered to be printed.
5. LEAVES OF ABSENCE—
On the motion of Mr. Dunlop leave of absence was granted to him by the Council for the period of two months from this day.
On the motion of Mr. Dunlop leave of absence was granted to Mr. Rutledge by the Council for the period of two months from this day.
6. ESTIMATES FOR 1851-1852.—On the Motion of the Auditor General the further consideration thereof was postponed until after the consideration of the Third Order of the Day.
7. ADMINISTRATION OF JUSTICE BILL.—On the Motion of the Attorney General the third reading of this Bill was postponed until after the consideration of the other Orders of the Day.
8. SUPPLEMENTARY ESTIMATES, 1852.—The following Messages from His Excellency the Lieutenant Governor received and read—

C. J. LA TROBE,

LIEUTENANT GOVERNOR.

Message, No. 10.

In compliance with the wish of the Legislative Council expressed in their Addresses to the Lieutenant Governor, the following additional Sums are placed upon the proposed Estimates of Expenditure for the year 1852 :

Towards the Road to Bates' Ford	£1000	0	0
For the construction and repair of Roads and Bridges within and beyond the Settled Districts	6000	0	0

The Lieutenant Governor would however draw the attention of the Council to the remark made in the twenty-ninth paragraph of his opening Address.

Government Offices,

Melbourne, 23rd December, 1851.

Ordered to be printed, and taken into consideration in Committee on the Estimates this Day.

C. J. LA TROBE,

LIEUTENANT GOVERNOR.

Message, No. 11.

The Lieutenant Governor proposes to the Legislative Council that the following Sums should be placed upon the Appropriation Act for the year 1852 at present under the consideration of the Council :

Sheriff's Officers	£200	instead of	£130
" " "	140	" "	110

All fees hitherto received by these Officers being henceforward paid into the Colonial Treasury.

Assistant Surgeon	£200	in lieu of	£183
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With the view of securing the services of a resident Medical Officer at the Lunatic Asylum.

Government Offices,

Melbourne, 23rd December, 1851.

Ordered to be printed, and taken into consideration in Committee on the Estimates this day.

9. VAGRANCY ACT AMENDMENT BILL.—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported that the Committee considered it advisable that the matter referred to the Committee should be divided, and proceed by two new Bills, and obtained leave to sit again on this day week.
10. LEAVE OF ABSENCE.—On the motion of Mr. Wilkinson leave of absence was granted to him by the Council for the period of two months from this date.
11. FINANCE, 1851–1852.—On motion of the Auditor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Estimates of Ways and Means and Probable Expenditure of the Colonial Government of Victoria for the year 1852, and Supplementary Estimate for the year 1851, accompanying the Financial Message of His Excellency the Lieutenant Governor on the 18th November, and the consideration of the items and rates proposed in His Excellency the Lieutenant Governor's several Messages, Nos. 5, 6, 7, 8, 10 and 11, in lieu of those set forth in the Estimates.
The Chairman reported that the Committee had gone through the various items in the Supplementary Estimate for the year 1851, and the Estimates of the Expenditure for the year 1852, and the additions proposed thereto by the Lieutenant Governor's Messages Nos. 5, 6, 7, 8, 10 and 11, and brought up the following Resolutions:—
- (1.) ESTIMATES OF EXPENDITURE AND ADDITIONS THERETO FOR THE YEAR 1852.
- (1.) Resolved—That a sum not exceeding £1,258 18s. be appropriated to defray the Salaries and Contingencies of His Excellency the Lieutenant Governor's Department, for the year 1852.
- (2.) Resolved—That a sum not exceeding £3,028 10s. be appropriated to defray the Salaries and Contingencies of the Legislative Council Department for the year 1852.
- (3.) Resolved that a sum not exceeding £17,362 5s. 6d. be appropriated to defray the Salaries and Contingencies of the Post Office Department for the year 1852.
- (4.) Resolved—That a sum not exceeding £1,960 4s. be appropriated to defray the Salaries and Contingencies of the Harbour Master's Department at Melbourne for the year 1852.
- (5.) Resolved—That a sum not exceeding £931 18s. be appropriated to defray the Salaries and Contingencies of the Harbour Master's Department at Geelong for the year 1852.
- (6.) Resolved—That a sum not exceeding £1,447 16s. be appropriated to defray the Salaries and Contingencies of the Harbour Master's Department at Port Albert for the year 1852.
- (7.) Resolved—That a sum not exceeding £4,078 2s. be appropriated to defray the Salaries and Contingencies of the Pilot Stations Department at Port Phillip for the year 1852.
- (8.) Resolved—That a sum not exceeding £309 18s. be appropriated to defray the Salaries and Contingencies of the Light House Department at Gellibrand's Point, for the year 1852.
- (9.) Resolved—That a sum not exceeding £765 9s. be appropriated to defray the Salaries and Contingencies of the Light House Department at Shortland's Bluff for the year 1852.
- (10.) Resolved—That a sum not exceeding £859 2s. be appropriated to defray the Salaries and Contingencies of the Light House Department at Cape Otway for the year 1852.
- (11.) Resolved—That a sum not exceeding £75 be appropriated to defray the Contingencies of the Meteorological Stations at Gellibrand's Point, Shortland's Bluff, and Cape Otway, for the year 1852.
- (12.) Resolved—That a sum not exceeding £465 2s. 6d. be appropriated to defray the Salaries and Contingencies of the Telegraph Stations.
- (13.) Resolved—That a sum not exceeding £380 1s. be appropriated to defray the Salaries and Contingencies of the Colonial Storekeeper's Department for the year 1852.
- (14.) Resolved—That a sum not exceeding £3,045 14s. be appropriated to defray the Salaries and Contingencies of the Government Printing Department for the year 1852.
- (15.) Resolved—That a sum not exceeding £710 16s. be appropriated to defray the Salaries and Contingencies of the Botanic Gardens Department, Melbourne, for the year 1852.
- (16.) Resolved—That a sum not exceeding £431 4s. be appropriated to defray the Contingencies of the Reserve for Public Recreation, Geelong, for the year 1852.
- (17.) Resolved—That a sum not exceeding £337 5s. be appropriated to defray the Salaries and Contingencies of the Powder Magazine Department for the year 1852.
- (18.) Resolved—That a sum not exceeding £120, be appropriated to defray the Salary and Contingent expenses of the Colonial Agent General's Department, for the year 1852.
- (19.) Resolved—That a sum not exceeding £8,807 11s. 6d. be appropriated to defray the Salaries and Contingencies of the Police Establishment of the City of Melbourne, for the year 1852.
- (20.) Resolved—That a sum not exceeding £5,259 10s. 6d. be appropriated to defray the Salaries and Contingencies of the Police Establishment of the County of Bourke, for the year 1852.
- (21.) Resolved—That a sum not exceeding £3,797 2s. be appropriated to defray the Salaries and Contingencies of the Police Establishment of Geelong and County of Grant, for the year 1852.
- (22.) Resolved,—That a sum not exceeding £1,280 12s. be appropriated to defray the Salaries and Contingencies of the Police Establishment at Portland, for the year 1852.
- (23.) Resolved—That a sum not exceeding £1,172 17s. be appropriated to defray the Salaries and Contingencies of the Police Establishment at Belfast, for the year 1852.
- (24.) Resolved—That a sum not exceeding £1,111 9s. 6d. be appropriated to defray the Salaries and Contingencies of the Police Establishment at Kilmore for the year 1852.

- (25.) Resolved—That a sum not exceeding £968 16s. be appropriated to defray the Salaries and Contingencies of the Police Establishment at Swan Hill, for the year 1852.
- (26.) Resolved—That a sum not exceeding £930 8s. be appropriated to defray the Salaries and Contingencies of the Police Establishment at Alberton, for the year 1852.
- (27.) Resolved—That a sum not exceeding £561 3s. 6d. be appropriated to defray the Salaries and Contingencies of the Police Establishment at Benalla, for the year 1852.
- (28.) Resolved—That a sum not exceeding £561 3s. 6d. be appropriated to defray the Salaries and Contingencies of the Police Establishment at Wangaratta, for the year 1852.
- (29.) Resolved—That a sum not exceeding £561 3s. 6d. be appropriated to defray the Salaries and Contingencies of the Police Establishment at Mount Macedon, for the year 1852.
- (30.) Resolved—That a sum not exceeding £561 3s. 6d. be appropriated to defray the Salaries and Contingencies of the Police Establishment at Carisbrook, for the year 1852.
- (31.) Resolved—That a sum not exceeding £561 3s. 6d. be appropriated to defray the Salaries and Contingencies of the Police Establishment at Chepstow, for the year 1852.
- (32.) Resolved—That a sum not exceeding £561 3s. 6d. be appropriated to defray the Salaries and Contingencies of the Police Establishment at Bacchus Marsh, for the year 1852.
- (33.) Resolved—That a sum not exceeding £561 3s. 6d. be appropriated to defray the Salaries and Contingencies of the Police Establishment at Lake Colac, for the year 1852.
- (34.) Resolved—That a sum not exceeding £561 3s. 6d. be appropriated to defray the Salaries and Contingencies of the Police Establishment at the Grange, for the year 1852.
- (35.) Resolved—That a sum not exceeding £561 3s. 6d. be appropriated to defray the Salaries and Contingencies of the Police Establishment at the Hopkins, for the year 1852.
- (36.) Resolved—That a sum not exceeding £561 3s. 6d. be appropriated to defray the Salaries and Contingencies of the Police Establishment at Warrnambool, for the year 1852.
- (37.) Resolved—That a sum not exceeding £561 3s. 6d. be appropriated to defray the Salaries and Contingencies of the Police Establishment at Horsham, for the year 1852.
- (38.) Resolved—That a sum not exceeding £561 3s. 6d. be appropriated to defray the Salaries and Contingencies of the Police Establishment at Pearson's Station, for the year 1852.
- (39.) Resolved—That a sum not exceeding £561 3s. 6d. be appropriated to defray the Salaries and Contingencies of the Police Establishment at Flooding Creek, for the year 1852.
- (40.) Resolved—That a sum not exceeding £561 3s. 6d. be appropriated to defray the Salaries and Contingencies of the Police Establishment at Buninyong for the year 1852.
- (41.) Resolved—That a sum not exceeding £2,578 5s. be appropriated to defray the Salaries and Contingencies of the Native Police Establishment for the year 1852.
- (42.) Resolved—That a sum not exceeding £889 12s. be appropriated to defray Salaries and Contingencies of the Coroners' Establishment for the year 1852.
- (43.) Resolved—That a sum not exceeding £300 be appropriated to meet the Distribution of the Police Reward Fund for the year 1852.
- (44.) Resolved—That a sum not exceeding £3,814 18s. 6d. be appropriated to defray the Salaries and Contingencies of the Melbourne Gaol Establishment for the year 1852.
- (45.) Resolved—That a sum not exceeding £1,525 7s. 6d. be appropriated to defray the Salaries and Contingencies of the Geelong Gaol Establishment for the year 1852.
- (46.) Resolved—That a sum not exceeding £5,420 8s. be appropriated to defray the Salaries and Contingencies of the Penal Establishment for the year 1852.
- (47.) Resolved—That a sum not exceeding £1,196 1s. 6d. be appropriated to defray the Salaries and Contingencies of the Colonial Architect's Department for the year 1852.
- (48.) Resolved—That a sum not exceeding £26,750 be appropriated to defray the charge for Public Buildings in the said Colony for the year 1852; being towards Laying out the Grounds set apart for a Government House, Melbourne, the sum of £500; for Building new Military Barrack, the sum of £2,000; for Additional Accommodation at the Lunatic Asylum, the sum of £4,000; towards Building an Additional Wing, and for Repairs at the Gaol, Melbourne, the sum of £2,000; for Additions and Repairs at the Supreme Court House, Melbourne, the sum of £1,200; for Building a new Signal House and a Battery Melbourne, the sum of £600; for Repairs to the Old Military Barracks, Melbourne, the sum of £150; for Completing the Wing of the Gaol at Geelong, the sum of £4,000; for the Erection of a Powder Magazine at the same place, the sum of £1,000; for Additions and Alterations at the Supreme Court House, Geelong, the sum of £500; for Building a Guaging Shed at the same place, the sum of £200; for Building Quarters at Shortland's Bluff for Pilots, the sum of £1,200; for Building Barracks for Prisoners at Pentridge, the sum of £1,200; for Building Police Barracks at Chepstow, the sum of £250; for Building Out Offices to the Custom House at Portland, the sum of £100; for the Erection of a Watch House at Kilmore, the sum of £450; for the Erection of Watch Houses at Heidelberg, Wangaratta, Flooding Creek, Chepstow, Carisbrook, Swan Hill, Benalla, Tarraville, Bacchus Marsh, Pearson's Station, and the Grange, at £250 each, the sum of £2,750; for Additions to the Watch Houses at Belfast and Warrnambool, £200 each, the sum of £400; for Additions to the Watch House at Portland, the sum of £100; for Building Police Offices at Kilmore, Belfast, and Warrnambool, at £500 each, the sum of £1,500; for Building Police Offices at Wangaratta, Flooding Creek, Bacchus Marsh, Carisbrook, Swan Hill, and Benalla, at £225 each, the sum of £1,350; for Additions and Repairs to the Police Office at Portland, the sum of £200; for Additions,

Alterations, and Repairs to Public Buildings, Offices, and Fences throughout the Colony, the sum of £1,000; for the Erection of a Flag Staff at Shortland's Bluff, and the Purchase of the necessary Flags, the sum of £100.

(49.) Resolved—That a sum not exceeding £800 be appropriated for Payment of the Rents of the Buildings used as Public Offices for the year 1852; being Offices for Colonial Treasurer; Offices for the Auditor General, the Clerk of the Stores, and the Government Printer; Office for the Denominational School Board; Office for the Crown Solicitor; Post Office at Geelong; Custom House at Port Fairy; Police Office at Belfast; Office for the Harbour Master at Geelong; Temporary Legislative Council Chambers and Offices; Court of Requests.

(50.) Resolved—That a sum not exceeding £806 12s. be appropriated to defray the Salaries and Contingencies of the Department of the Superintendent of Bridges.

(51.) Resolved—That a sum not exceeding £21000 be appropriated to defray the expenses of Roads, Bridges, and other Works for the year 1852; being £11,000 for the Construction and Repairs of Roads and Bridges within and beyond the Settled Districts; £2,000 for Improving the Sydney Line of Road to Albury; £1,500 Towards Building Bridges and Constructing Embankments at the Merri and Darebin Creeks on the Heidelberg Road; £1,000 for Constructing a Road from Melbourne through Richmond to the Yarra, and for Completing the Approaches to the same upon the opposite Bank of the River; £250 for Improvements on the Sandridge Road; £2,000 for Forming Approaches to the Queen's Wharves at Melbourne and Geelong, at £1,000 each, to be placed at the disposal of the respective Corporations; £1,000 for Completing the Jetty at Geelong; £500 for Extending the Jetty at Warrnambool; £150 for Completing the Foot Bridge in the Botanic Gardens, Melbourne; £600 for General Repairs to Public Works; £1,000 for Repairs of Road from Geelong to Bates' Ford.

(52.) Resolved—That a sum not exceeding £600 be appropriated to meet the expense of the Salary and Passage from England of a Civil Engineer, for the year 1852.

(53.) Resolved—That a sum not exceeding £6681 3s. be appropriated in support of Denominational Schools to be expended under the direction of the Board of Inspection for the year 1852; being £3,275 7s 9d. for Church of England Schools; £1,015 14s. for Presbyterian Schools; £436 9s. for Wesleyan Schools; £377 7s. 9d. for Schools of Other Protestant Denominations; and £1,576 4s. 6d. for Roman Catholic Schools.

(54.) Resolved—That a sum not exceeding £566 12s. be appropriated to defray the expenses of the Denominational School Board for the year 1852.

(55.) Resolved—That a sum not exceeding £3,000 be appropriated to defray the expenses of the Establishment and Support of National Schools within and beyond the Settled Districts, for the year 1852.

(56.) Resolved—That a sum not exceeding £862 12s. be appropriated to pay the Salaries and Contingencies of the Colonial Surgeon's Department, for the year 1852.

(57.) Resolved—That a sum not exceeding £2,388 2s. be appropriated to defray the Salaries and Contingencies of the Lunatic Asylum, for the year 1852.

(58.) Resolved—That a sum not exceeding £1,000 be appropriated in aid of the Benevolent Asylum, Melbourne, for the year 1852; being £200 towards the Erection of the Building, on condition of an equal amount being raised by Private Subscription, and £800 towards the Maintenance of the Institution, on the same condition.

(59.) Resolved—That a sum not exceeding £1,400 be appropriated in aid of the Benevolent Asylum and Hospital, Geelong, for the year 1852; being £500 for the Outfit, and £500 towards the Erection of the Building, on condition of an equal amount being raised by Private Subscriptions, and the sum of £400 towards the Maintenance of the Institution, on the same condition.

(60.) Resolved—That a sum not exceeding £300 be appropriated towards the Erection of a Benevolent Asylum at Belfast for the year 1852, on condition of an equal amount being raised by Private Subscription

(61.) Resolved—That a sum not exceeding £800 be appropriated towards the Maintenance of the Melbourne Hospital, Melbourne, for the year 1852, on condition of an equal amount being raised by Private Subscription.

(62.) Resolved—That a sum not exceeding £650 be appropriated in aid of the Mechanics' Institution, Melbourne, for the year 1852; being £500 towards the Erection of a Theatre at the Institution, and £150 for the maintenance of the Institution.

(63.) Resolved—That a sum not exceeding £150 be appropriated in Aid of the Award of Prizes by the Industrial Society, for the year 1852.

(64.) Resolved—That a sum not exceeding £5,400 be appropriated to defray the expense of Miscellaneous Services for the year 1852; being £300 for preparing the Electoral Lists; £50 for Newspapers for Record, and for the Secretary of State; £100 for Erecting Pounds, and Allowances to Poundkeepers; £500 to pay Drawbacks and Refund of Duties and other Revenue; £1,000 to meet Unforeseen Expenses in cases of Emergency, to be hereafter accounted for; £3,000 to be paid to the First Company who may establish and perform, not less than once in each Month, a Regular Steam Communication by way of the Cape of Good Hope, between Great Britain and Australia; £350 to meet the expense of Compiling Statistical Tables of the Colony from the First Establishment of Port Phillip in the year 1836; and £100 to defray the expense of laying-out the General Cemetery.

(65.) Resolved—That a Sum not exceeding £7,016 12s 6d, be appropriated to defray the Salaries and Contingencies of the Administration of Justice, for the year 1852, in addition to the amount appropriated by Schedule B. Part 1, to the Act 13 and 14 Victoria, Ch. 59.

(2.) SUPPLEMENTARY ESTIMATE FOR THE YEAR 1851.

- (1.) Resolved—That a sum not exceeding £338 8s. be appropriated to defray the Supplementary charge of His Excellency the Lieutenant Governor's Department for the year 1851.
- (2.) Resolved that a sum not exceeding £653 19s. 10d. be appropriated to defray the Supplementary charge of the Legislative Council Department for the year 1851.
- (3.) Resolved that a sum not exceeding £200, be appropriated to defray the Supplementary charge for the Post Office Department for the year 1851.
- (4.) Resolved—That a sum not exceeding £50 2s. 6d. be appropriated to defray the Supplementary charge for the Colonial Storekeeper's Department for the year 1851.
- (5.) Resolved—That a Sum not exceeding £500, be appropriated to defray the Supplementary charge for the Government Printer's Department, for the year 1851.
- (6.) Resolved—That a Sum not exceeding £250, be appropriated to defray the Supplementary charge for Police Force stationed at Buninyong, for the year 1851.
- (7.) Resolved—That a sum not exceeding £14 7s. be appropriated to defray the Supplementary Charge for the Gaol, Melbourne, for the year 1851.
- (8.) Resolved—That a sum not exceeding £200 be appropriated to defray the Supplementary Charge for the Penal Establishment for the year 1851.
- (9.) Resolved—That a sum not exceeding £7,120 be appropriated to defray the Supplementary Charge for Public Buildings, Roads, and Bridges for the year 1851; being £600 for Additions and Alterations to the Temporary Legislative Council Chamber and Offices; £150 for Alterations and Repairs to the Government Offices, Lonsdale and William-street; £45 for Erecting and Rigging a Flag-Staff at the same, including the Cost of an Union Jack; £300 for general Repairs and Additions to Public Buildings and Offices; £2,000 for Building Mounted Police Barracks at Melbourne; £250 for Building Additional Quarters at the Temporary Gaol, Geelong; £250 for the Erection of a Watch House at Buninyong; £225 for the Erection of a Police Office at the same place; £200 for Alterations and Additions at the Eastern Hill Watch House, Melbourne, to provide accommodation for Female Prisoners; £450 for Furniture for the Temporary Legislative Council Chambers and Offices; £450 for Furniture for the Offices of the Executive Council, the Colonial Secretary, the Colonial Treasurer, and the Auditor General; £160 for Rents of Temporary Legislative Council Chamber and Offices, the Offices of the Colonial Treasurer and the Auditor General, and the other Offices in the same Buildings, to the end of the year; £40 for Fencing a Paddock at Belfast; £2,000 to Repair the Damages done by the recent Floods to Roads and Bridges.
- (10.) Resolved—That a sum not exceeding £30 be appropriated to defray the Supplementary Charge for Education for the year 1851.
- (11.) Resolved—That a sum not exceeding £750 be appropriated to defray the Supplementary Charge for Electoral Expenses for the year 1851.
- (12.) Resolved—That a sum not exceeding £300 be appropriated to defray the Supplementary Charge for Collecting the Census for the year 1851.
- (13.) Resolved—That a sum not exceeding £2,317 11s. 3d. be appropriated to defray the Supplementary Charge for Unforeseen Expenditure for the year 1851.
- (14.) Resolved—That a sum not exceeding £500 be appropriated to defray the Supplementary Charge for Unforeseen Expenses in Cases of Emergency for the year 1851.
- (15.) Resolved—That a sum not exceeding £924 4s. be appropriated to defray the Supplementary Charge for Expenses of the Administration of Justice, for the year 1851, in addition to the amount appropriated by Schedule B, Part 1, to the Act, 13 and 14 Vic., c. 59.

The Auditor General moved that these Resolutions be now agreed to.
Question put and passed.

- 12. PUBLIC HOUSE LICENSING AMENDMENT ACT BILL.—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Monday next.
- 13. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Solicitor General the following Orders of the Day were postponed until Monday next.
Fees to Public Officers Abolishment Bill—To be considered in Committee.
National Education Board Incorporation Bill—To be considered in Committee.
- 14. ADMINISTRATION OF JUSTICE BILL.—On the motion of the Attorney General the Speaker left the Chair, and the Council resumed itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be fair printed, and read a third time on Tuesday, the 30th instant.

Council adjourned at half-past ten o'clock until three o'clock on Monday.

NOTICES OF MOTION AND ORDERS OF THE DAY.

MONDAY, DECEMBER 29.

ORDERS OF THE DAY:—

1. Savings Bank of Port Phillip Laws Amendment Bill—Adoption of Report.
2. Uniform Rate of Postage Bill—Second reading.
3. Appropriation Bill, 1852—Second reading.
4. Public House Licensing Amendment Act Bill.—Adoption of Report.
5. Fees to Public Officers Abolishment Bill—To be considered in Committee.
6. National Education Board Incorporation Bill—To be considered in Committee.

TUESDAY, DECEMBER 30.

ORDERS OF THE DAY:

1. Melbourne Gas and Coke Company Incorporation Bill.—To be considered in Committee.
2. Harbour Master, Melbourne.—Report of Select Committee to be considered.
3. Vagrancy Act Amendment Bill.—To be further considered in Committee.
4. Administration of Justice Bill.—Third reading.

J. F. PALMER,

Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

MONDAY, 29th December, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. **ASSENT TO BILLS.**—The Speaker reported that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to the following Bills :
 Interpretation of Acts Bill.
 Melbourne and Geelong Police Rate Suspension Bill.
 Gunpowder Exportation Bill.
 Distress Bill.
 Preservation of Ports and Pilotage Bill.
3. **ADDRESSES.**—The Speaker announced to the Council, that he had pursuant to the Resolutions of this Council, presented the following Addresses to His Excellency the Lieutenant Governor, viz :
 No. 21. Survey of Portland Bay and Warrnambool Bay, adopted on the 20th December, 1851, on the Motion of Mr. Wilkinson.
 And that His Excellency had in reply to such Address, been pleased to state, that whenever he might be in a position to comply with the wishes of the Council, he should be happy to do so.
 No. 22.—**GOLD.**—Resolutions adopted on the 22nd December, 1851, on the Motion of Mr. Murphy, and that His Excellency had in reply to such Address been pleased to state, that the expression of the opinion of the Council should meet with due consideration.
 No. 23.—**ROADS AND BRIDGES.**—Adopted on the 22nd December, 1851, on the Motion of Mr. Miller, and that His Excellency had in reply to such Address been pleased to state, that the Sum requested had been placed upon the Estimates.
4. **JEW'S PETITION.**—Mr. Westgarth presented a Petition from certain Members of the Jewish persuasion resident in the City of Melbourne and Colony of Victoria, praying the Council to take the statements therein contained into consideration, with a view to recommend to the Executive Government, the allowance of a proportionate amount from the Public Revenue, in aid of the Religious Institutions of the Jews in the City of Melbourne.
 Petition received.
5. **SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL.**—On the Motion of the Attorney General on behalf of Mr. Smith, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.
 The Chairman having reported the Bill with further amendments, the Council adopted the Bill as amended, and ordered the Bill as so reported to be fair printed, and read a third time to-morrow.
6. **CONVEYANCE AND POSTAGE OF LETTERS LAW AMENDMENT BILL.**—The Attorney General moved that this Bill be now read a second time.
 Question put and passed.
 On the Motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
 The Chairman reported the Bill with Amendments.
 On the Motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.
 The Chairman having reported the Bill with further Amendments, the Council adopted the Bill as amended, and ordered the Bill as so reported, to be fair printed and read a Third time to-morrow.
6. **POSTPONEMENT OF ORDERS OF THE DAY.**—On the Motion of the Auditor General, the consideration of the following Order of the Day was postponed until after the consideration of the other Orders of the Day.
 Appropriation Bill—Second Reading.
 On the Motion of the Attorney General, the following Order of the Day was postponed until to-morrow :—
 Public House Licensing Amendment Act Bill—Adoption of Report.
7. **FEES TO PUBLIC OFFICERS ABOLISHMENT BILL.**—On the Motion of the Solicitor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
 The Chairman having reported the Bill with Amendments, the Council adopted the Bill as amended, and ordered the Bill as so reported, to be fair printed and read a Third time to-morrow.

8. NATIONAL EDUCATION BOARD INCORPORATION BILL.—On the Motion of the Attorney General, the Speaker left the Chair, and the Committee resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with Amendments, the Council adopted the Bill as amended, and ordered the Bill as so reported to be fair printed, and read a Third time to-morrow.
9. APPROPRIATION BILL, 1852.—The Auditor General moved that this Bill be now read a Second time.
Question put and passed.
On the Motion of the Auditor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman having reported the Bill with Amendments, the Council adopted the Bill as amended, and ordered the Bill as so reported to be fair printed, and read a Third time to-morrow.
Council adjourned at quarter-past seven o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, DECEMBER 30.

1. Mr. Westgarth: To move that the Petition from certain of the Jews of Melbourne be printed, and taken into consideration to-morrow.
2. The Attorney General: To move for leave to bring in a Bill to restrain by Summary Proceeding the unauthorised Mining on Waste Lands of the Crown.
3. The Attorney General: To move for leave to bring in a Bill to restrain more effectually gambling, and the use of obscene language.

ORDERS OF THE DAY:

1. Melbourne Gas and Coke Company Incorporation Bill.—To be considered in Committee.
2. Harbour Master, Melbourne.—Report of Select Committee to be considered.
3. Administration of Justice Bill.—Third reading.
4. Savings Bank of Port Phillip Laws Amendment Bill—Third reading
5. Conveyance and Postage of Letters Law Amendment Bill.—Third reading.
6. Public House Licensing Amendment Act Bill.—Adoption of Report.
7. Fees to Public Officers Abolishment Bill—Third reading.
8. National Education Board Incorporation Bill—Third reading.
9. Appropriation Bill, 1852—Third reading.

J. F. PALMER,

Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

TUESDAY, 30th December, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. **BILL FOR THE MORE EFFECTUAL PUNISHMENT OF IDLE AND DISORDERLY PERSONS.**—Mr. O'Shanassy presented a Petition from certain Colonists of Victoria, praying that a Bill for the more effectual punishment of Idle and Disorderly Persons may not pass into Law.
Petition received.
3. **JEWES, MELBOURNE.**—Mr. Westgarth, pursuant to notice, moved that the Petition presented by him yesterday be printed.
Question put and passed.
Mr. Westgarth then moved, pursuant to *amended* notice, That this House do recommend to the Executive Government of this Colony, that the Persuasion of the Jews of this City be allowed to participate according to their numbers, in the Resolutions for Religious Purposes under the head of Schedule B., Part 3, to the Act of Parliament 13 and 14 Vic., cap. 59.
Motion by leave withdrawn.
4. **UNAUTHORISED MINING ON WASTE LANDS RESTRICTION BILL.**—The Attorney General pursuant to notice, moved that he have leave to bring in a Bill to restrain by summary proceeding the unauthorised mining on Waste Lands of the Crown.
Question put and passed.—Ordered that the mover and seconder do prepare and bring in the Bill.
5. **GAMBLING AND THE USE OF OBSCENE LANGUAGE RESTRICTION BILL.**—The Attorney General pursuant to notice, moved that he have leave to bring in a Bill to restrain more effectually Gambling and the use of Obscene Language.
Question put and passed.
Ordered that the mover and seconder do prepare and bring in the Bill.
6. **MELBOURNE GAS AND COKE COMPANY INCORPORATION BILL.**—Mr. Miller moved that the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the consideration of this Bill.
Debate ensued.
Question put and passed.
The Chairman reported progress, and obtained leave to sit again to-morrow.
7. **ADMINISTRATION OF JUSTICE BILL.**—On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council adopted the Bill as amended, and ordered the Bill as so reported to be fair printed, and read a third time to-morrow.
8. **POSTPONEMENT OF ORDER OF THE DAY.**—On the motion of the Attorney General, the following Order of the Day was postponed until to-morrow :—
Savings Bank of Port Phillip Laws Amendment Bill—Third reading.
9. **UNAUTHORISED MINING ON WASTE LAND RESTRICTION BILL.**—The Attorney General having presented the Bill, intituled, "*A Bill to restrain by summary proceeding the Unauthorised Mining on Waste Lands of the Crown.*"
Bill read a first time, ordered to be printed and read a second time on Friday next.
10. **GAMBLING AND THE USE OF OBSCENE LANGUAGE RESTRICTION BILL.**—The Attorney General having presented a Bill, intituled, "*A Bill to restrain more effectually Gambling and the Use of Obscene Language.*"
Bill read a first time, ordered to be printed and read a second time on Friday next.
11. **CHAIRMAN OF QUARTER SESSIONS APPOINTMENT BILL.**—The Solicitor General having presented a Bill, intituled, "*A Bill to enable the Lieutenant Governor of the Colony of Victoria to appoint a Chairman of, and also a Crown Prosecutor at, Courts of General Quarter Sessions.*"
Bill read a first time, ordered to be printed and read a second time on Friday next.
12. **CONVEYANCE AND POSTAGE OF LETTERS LAW AMENDMENT BILL.**—On the Motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council adopted the Bill as amended, and ordered the Bill as so reported to be fair printed and read a third time to-morrow.

13. PUBLIC HOUSE LICENSING AMENDMENT ACT BILL.—On the Motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council ordered the adoption of the Report to stand an Order of the Day for to-morrow.
14. FEES TO PUBLIC OFFICERS ABOLISHMENT BILL.—The Chairman of Committees having certified that the fair print of this Bill was in accordance with the Bill as reported with its amendments.
Bill on the Motion of the Solicitor General read a third time and *passed*.
The Solicitor General then moved that the following be the title to the Bill, viz :—
An Act to abolish the taking of Fees for their own use by Officers in the Public Service in the Colony of Victoria.
Question put and passed.
15. NATIONAL EDUCATION BOARD INCORPORATION BILL.—The Chairman of Committees having certified that the fair print of this Bill was in accordance with the Bill as reported with its amendments.
Bill, on the motion of the Attorney General, read a third time and *passed*.
The Attorney General then moved, that the following be the Title to the Bill, viz. :
“ An Act to incorporate the Board of Commissioners for National Education.”
Question put and passed.
16. APPROPRIATION BILL 1852.—On the Motion of the Auditor General the Speaker left the Chair and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council adopted the Bill as so amended.
17. APPROPRIATION BILL, 1852.—The Chairman of Committees having certified that the fair print of this Bill was in accordance with the Bill as reported with its amendments.
Bill on the Motion of the Auditor General, read a third time and *passed*.
The Auditor General then moved that the following be the Title to the Bill, viz.—
“ An Act for applying certain Sums arising from the Revenue receivable in the Colony of Victoria to the Service thereof for the year One thousand eight hundred and fifty-two, and for further appropriating the said Revenue.”
Question put and passed.
Council adjourned at nine o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, DECEMBER 31, 1851.

Government Business.

ORDERS OF THE DAY :

1. Administration of Justice Bill.—Third reading.
2. Conveyance and Postage of Letters Law Amendment Bill.—Third reading.
3. Public House Licensing Amendment Act Bill.—Adoption of Report.

Other Business.

NOTICES OF MOTION :—

1. MR. FAWKNER to move, That this House is of opinion that an Order to the following effect be incorporated in the Standing Orders of this Council :
(1.) That every Public or Private Bill introduced into the Council, shall be printed and delivered to each Member, one clear week before the first reading.
That fourteen clear days shall intervene between the first and second readings, and that the Bill in full shall be printed in one or more of the Melbourne Journals before the first reading, or at latest ten clear days prior to the second reading, and that the third reading take place one week after the second reading has been fully completed.
(2.) That all Private Bills be submitted to one of the Judges of Melbourne, That he may certify thereon in his own handwriting, that there is nothing within the Provisions of the said Bill contrary to the laws of the Colony, or injurious to the public welfare, and that this Certificate must be obtained before the first reading of every such Bill, or that the Judge to whom Bills shall be so submitted, shall if he refuse to certify as above, write on the margin of the Bill or Bills his reasons for refusing to certify, or his objections to the Bill or any parts thereof within ten days after such intended Bill shall have been placed in his hands.

2. To move: That this House do address His Excellency the Lieutenant Governor, praying him to lay before the Home Government the necessity of declaring the Lands of this Colony, from the Town of Geelong, and the City of Melbourne to the furthest extent of the Gold Mines, or Diggings, to be within the Settled Districts, according to provisions made to extend these districts in the Act forming the Colony, into Settled, Intermediate, and Unsettled Districts; and that His Excellency the Lieutenant Governor will be pleased to recommend this measure to the Home Government, urging that there are from one-third to one-half of the adult, male, working population already settled as Gold Diggers on the Lands hereby sought to be called by their true name, namely "Settled Districts," and that the Speaker and Colonial Secretary be requested to present this Address to His Excellency the Lieutenant Governor.

ORDERS OF THE DAY :—

1. Melbourne Gas and Coke Company Incorporation Bill—To be further considered in Committee.
2. Savings' Bank of Port Phillip Laws Amendment Bill—Third reading.

FRIDAY, JANUARY 2, 1852.

ORDERS OF THE DAY :—

1. Unauthorised Mining on Waste Lands Restriction Bill—Second reading.
2. Gambling and the Use of Obscene Language Restriction Bill—Second reading.
3. Chairman of Quarter Sessions Appointment Bill—Second reading.

J. F. PALMER,

Speaker.

No. 30.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

WEDNESDAY, 31st December, 1851.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. **ASSENT TO BILLS.**—The Speaker reported that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to the following Bills—
The Fees to Public Officers Abolishment Bill.
The National Education Board Incorporation Bill.
The Appropriation Bill, 1852.
3. **POSTPONEMENT OF ORDERS OF THE DAY :—**
On the motion of the Attorney General the following Orders of the Day were postponed until after the consideration of the other Orders of the Day, viz. :—
Administration of Justice Bill—Third reading.
Public House Licensing Amendment Act Bill—Adoption of Report.
4. **CONVEYANCE AND POSTAGE OF LETTERS LAW AMENDMENT BILL.**—The Chairman of Committees having reported that the fair print of this Bill was in accordance with the Bill as reported with its amendments.
Bill on the motion of the Attorney General read a third time and *passed*.
The Attorney General then moved that the following be the Title of the Bill, viz. :—
An Act to amend the Law for the Conveyance and Postage of Letters.
Question put and passed.
5. **POSTPONEMENT OF NOTICES OF MOTION.**—Mr. Fawcner postponed the Motions standing in his name, Nos. 1 and 2, on the Notice Paper of to-day until Friday next.
6. **MELBOURNE GAS AND COKE COMPANY INCORPORATION BILL.**—On the motion of Mr. Miller the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Friday next.
7. **POSTPONEMENT OF ORDER OF THE DAY.**—On the motion of the Attorney General, on behalf of Mr. Smith, the following Order of the Day was postponed until Friday next.
SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL.—Third Reading.
8. **ADMINISTRATION OF JUSTICE BILL.**—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council adopted the Bill as amended.
ADMINISTRATION OF JUSTICE BILL.—The Chairman of Committees having certified that the fairprint of this Bill was in accordance with the Bill as reported with its amendments. Bill on the motion of the Attorney General read a third time and *passed*.
The Attorney General then moved that the following be the Title of the Bill, viz.,—“*An Act to make provision for the better Administration of Justice in the Colony of Victoria.*”
Question put and passed.
9. **POSTPONEMENT OF ORDER OF THE DAY.**—On the motion of the Attorney General the following Order of the Day was postponed until Friday next :—
PUBLIC HOUSE LICENSING AMENDMENT ACT BILL.—Adoption of Report.
10. **SUSPENSION OF STANDING ORDER.**—The Colonial Secretary moved the Suspension of Standing Order No. 18.
Question put and passed.
11. **ADJOURNMENT.**—The Colonial Secretary then moved that this House do now adjourn until Friday next at 3 o'clock.
Question put and passed.
Council adjourned at half-past 5 o'clock accordingly.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JANUARY 2, 1852.

NOTICES OF MOTION :—

1. **MR. FAWKNER** to move, That this House is of opinion that an Order to the following effect be incorporated in the Standing Orders of this Council :
(1.) That every Public or Private Bill introduced into the Council, shall be printed and delivered to each Member, one clear week before the first reading.

That fourteen clear days shall intervene between the first and second readings, and that the Bill in full shall be printed in one or more of the Melbourne Journals before the first reading, or at latest ten clear days prior to the second reading, and that the third reading take place one week after the second reading has been fully completed.

(2.) That all Private Bills be submitted to one of the Judges of Melbourne, That he may certify thereon in his own handwriting, that there is nothing within the Provisions of the said Bill contrary to the laws of the Colony, or injurious to the public welfare, and that this Certificate must be obtained before the first reading of every such Bill, or that the Judge to whom Bills shall be so submitted, shall if he refuse to certify as above, write on the margin of the Bill or Bills his reasons for refusing to certify, or his objections to the Bill or any parts thereof within ten days after such intended Bill shall have been placed in his hands.

2. To move: That this House do address His Excellency the Lieutenant Governor, praying him to lay before the Home Government the necessity of declaring the Lands of this Colony, from the Town of Geelong, and the City of Melbourne to the furthest extent of the Gold Mines, or Diggings, to be within the Settled Districts, according to provisions made to extend these districts in the Act forming the Colony, into Settled, Intermediate, and Unsettled Districts; and that His Excellency the Lieutenant Governor will be pleased to recommend this measure to the Home Government, urging that there are from one-third to one-half of the adult, male, working population already settled as Gold Diggers on the Lands hereby sought to be called by their true name, namely "Settled Districts;" and that the Speaker and Colonial Secretary be requested to present this Address to His Excellency the Lieutenant Governor.

ORDERS OF THE DAY:—

1. Unauthorised Mining on Waste Lands Restriction Bill—Second reading.
2. Gambling and the Use of Obscene Language Restriction Bill—Second reading.
3. Chairman of Quarter Sessions Appointment Bill—Second reading.
4. Melbourne Gas and Coke Company Incorporation Bill—Adoption of Report.
5. Savings' Bank of Port Phillip Laws Amendment Bill—Third reading.
6. Public House Licensing Amendment Act Bill.—Adoption of Report.

J. F. PALMER,

Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

FRIDAY, 2nd January, 1852.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. **LIBRARY COMMITTEE.**—The Honorable the Speaker, as Chairman of the Library Committee, reported to the House that the Committee had met several times, and had taken the requisite measures for carrying into execution the wishes of the Council.
3. **REPORT OF THE SURVEY OF THE YARRA YARRA RIVER.**—The Council, on motion of the Auditor General, ordered that a Copy of each of the Maps or Plans accompanying such Report, laid upon the Table of the Council on the 13th November last, should be made upon a large scale, and hung up in the Library of the Council for general reference.
4. **SETTLED DISTRICTS.**—Mr. Fawkner moved, pursuant to notice, That this House do address His Excellency the Lieutenant Governor, praying him to lay before the Home Government the necessity of declaring the Lands of this Colony, from the Town of Geelong, and the City of Melbourne to the furthest extent of the Gold Mines, or Diggings, to be within the Settled Districts, according to provisions made to extend these districts in the Act forming the Colony, into Settled, Intermediate, and Unsettled Districts; and that His Excellency the Lieutenant Governor will be pleased to recommend this measure to the Home Government, urging that there are from one-third to one-half of the adult, male, working population already settled as Gold Diggers on the Lands hereby sought to be called by their true name, namely "Settled Districts," and that the Speaker and Colonial Secretary be requested to present this Address to His Excellency the Lieutenant Governor.
Debate ensued.
Motion, by leave, withdrawn.
5. **UNAUTHORISED MINING ON WASTE LANDS RESTRICTION 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.
On the Motion of the Attorney General the Speaker left the Chair, and the Committee resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported the Bill with amendments.
On the Motion of Mr. Campbell the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.
The Chairman having reported the Bill without further amendment, the Council ordered the adoption of the Report to stand an Order of the day for to-morrow.
6. **GAMBLING AND THE USE OF OBSCENE LANGUAGE RESTRICTION BILL.**—The Attorney General moved that this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On the Motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress and obtained leave to sit again immediately.
On the Motion of the Attorney General the Speaker left the Chair, and the Council again resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council adopted the Bill as so reported, and ordered the same to be fair printed, and read a third time to-morrow.
7. **CHAIRMAN OF QUARTER SESSIONS APPOINTMENT BILL.**—The Attorney General moved that this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman having reported this Bill with amendments, the Council adopted the same, and ordered the Bill to be fair printed and read a third time to-morrow.
8. **MELBOURNE GAS AND COKE COMPANY INCORPORATION BILL.**—The Council having adopted the Report of this Bill on motion of Mr. Miller, ordered that the Bill should be fair printed, and read a third time on Monday next.

9. SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL.—The Chairman of Committees having certified that the fair print of this Bill was in accordance with the Bill as reported with its amendments.
Bill on the motion of the Attorney General, read a third time and *passed*.
The Attorney General then moved that the following be the Title of the Bill, viz.,—“ *An Act to further amend the Laws relating to the Savings Bank of Port Phillip, and to empower the Vice President and the Trustees thereof to lend money by way of Mortgage, to the Corporations of the City of Melbourne and Town of Geelong respectively.*”
Question put and passed.
9. PUBLIC HOUSE LICENSING AMENDMENT ACT BILL.—On the motion of the Attorney General, the Speaker left the Chair and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council adopted the same and ordered the Bill as so reported to be fair printed and read a third time to-morrow
10. SUSPENSION OF STANDING ORDER.—The Colonial Secretary moved the Suspension of the Standing Order No. 18.
Question put and passed.
11. ADJOURNMENT.—The Colonial Secretary then moved that this House do now adjourn until 2 o'clock to-morrow.
Question put and passed.
Council adjourned at a quarter past eight o'clock accordingly.

NOTICE OF MOTION AND ORDERS OF THE DAY.

SATURDAY, JANUARY 3, 1852.

NOTICE OF MOTION :—

1. MR. ROBINSON to move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to withhold his consent to all Grants of Land, now pending, or that may be applied for before the ensuing Session of the Legislative Council, under what is termed the Pre-emptive Right.

ORDERS OF THE DAY :—

1. Unauthorised Mining on Waste Lands Restriction Bill—Adoption of Report.
2. Gambling and the Use of Obscene Language Restriction Bill—Third reading.
3. Chairman of Quarter Sessions Appointment Bill—Third reading.
4. Public House Licensing Amendment Act Bill.—Third reading.

MONDAY, JANUARY 5.

ORDER OF THE DAY :—

1. Melbourne Gas and Coke Company Incorporation Bill.—Third reading.

J. F. PALMER,

Speaker.

No. 32.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

SATURDAY, 3rd January, 1852.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. WITHDRAWAL OF NOTICE OF MOTION.—Mr. Robinson withdrew the Notice standing in his name No. 1, on the Notice Paper of to-day.
3. UNAUTHORIZED MINING ON WASTE LANDS RESTRICTION BILL.—On the Motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council ordered the adoption of the Report to stand an Order of the day for Monday next.
4. GAMBLING AND THE USE OF OBSCENE LANGUAGE RESTRICTION BILL.—On the Motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council adopted the Bill as so amended.
5. GAMBLING AND THE USE OF OBSCENE LANGUAGE RESTRICTION BILL.—The Chairman of Committees having certified, that the fair print of this Bill was in accordance with the Bill as reported with its amendments.
Bill on the Motion of the Attorney General read a third time and *passed*.
The Attorney General then moved, that the following be the Title of the Bill, viz. :—“ *An Act to restrain the practice of Gambling and the use of Obscene Language.*”
Question put and passed.
6. CHAIRMAN OF QUARTER SESSIONS APPOINTMENT BILL.—The Chairman of Committees having certified that the fair print of this Bill was in accordance with the Bill as reported, with its amendments.
Bill on the Motion of the Solicitor General read a third time and *passed*.
The Solicitor General then moved that the following be the Title of the Bill, viz. :—“ *An Act to enable the Lieutenant Governor of the Colony of Victoria, to appoint a Chairman of, and also a Crown Prosecutor, at General and Quarter Sessions.*”
Question put and passed.
7. PUBLIC HOUSE LICENSING AMENDMENT ACT BILL.—On the Motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with further amendments the Council adopted the Bill as so amended.
8. PUBLIC HOUSE LICENSING AMENDMENT ACT BILL.—The Chairman of Committees having certified that the fair Print of this Bill was in accordance with the Bill as reported with its amendments,
Bill on the motion of the Attorney General read a Third time and *passed*.
The Attorney General then moved that the following be the Title of the Bill :—“ *An Act to amend for a limited time an Act intituled ‘ An Act to consolidate and amend the Laws relating to the Licensing of Public Houses, and to regulate the Sale of Fermented and Spirituous Liquors in New South Wales.’*”
Question put and passed.
9. SUSPENSION OF STANDING ORDER.—Mr. Miller moved the Suspension of Standing Order No. 18.
Question put and passed.
10. MELBOURNE GAS AND COKE COMPANY INCORPORATION BILL.—On the motion of Mr. Miller the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill as so reported to be fair printed and read a Third time on Monday next.
11. ADJOURNMENT.—On the motion of the Colonial Secretary the Council adjourned until Monday next at 2 o’clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

MONDAY, JANUARY 5, 1852.

NOTICES OF MOTION:—

1. MR. SPLATT: To move (1.) That in the present unparalleled crisis in the history of the Colony, this Council has learnt with feelings of apprehension and alarm that the Executive Government has refused to continue the following Mails from and after the 31st December, 1851, viz. :—
- (1.) Kilmore to Maiden's Punt, by way of Campaspie.
 - (2.) Kyneton to Swan Hill, by way of Mount Alexander.
 - (3.) Colac and Port Fairy, by way of Timbron and Warrnambool.
 - (4.) Warde Yallock and Elephant Bridge.
 - (5.) Port Fairy and the Grange, by Mount Napier.
 - (6.) Warrnambool and Port Fairy, by way of Woodford.
 - (7.) Port Fairy to Piery Creek, by way of Muston's Creek.
- (2.) That in the opinion of this Council the sudden stoppage of any established Mail line without ample notice to the public, would even in ordinary times prove most injurious to the best interests of the Colony, and the Executive Government would under such circumstances lay themselves open to much and deserved blame.
- (3.) That in the opinion of this Council the sudden and unfortunate stoppage of so many lines, if not immediately resumed, cannot fail in the present alarming state of the interior to produce a universal want of confidence in the Executive Government of this Colony.
2. MR. SPLATT: To move that this Council affirms the following Resolutions:—
- (1.) That every interest in the Colony is suffering greatly for the want of labour.
 - (2.) That in ordinary times, before the discovery of Gold, this Colony could well take at least ten thousand Immigrants annually.
 - (3.) That since the discovery of Gold, which has absorbed a large part, probably one-half, of the present available Labour of the Colony, a much larger supply of Immigrants, say at least Thirty Thousand annually, is absolutely necessary, and this, irrespective of all voluntary immigration.
 - (4.) That it is the bounden duty of the Local Executive Government to supply the Immigration Commissioners with Funds adequate to the importation of at least Thirty Thousand Immigrants annually for the next two years; and if sufficient Funds cannot be realized from current Sales of Land, the difference should be borrowed, on the security of the Land Revenue; and that, as voluntary immigration will probably consist of males chiefly, a large proportion of assisted immigration should be females.
3. MR. O'SHEA says: To move That this House do take into its consideration the Report from the Select Committee on the Report of the Harbour Master's Department, Williams Town, presented in the month of December, 1851.

ORDERS OF THE DAY:—

1. Unauthorized Mining Restriction Bill—Adoption of Report.
2. Melbourne Gas and Coke Company Incorporation Bill.—Third reading.

J. F. PALMER,

Speaker.

No. 33.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL,

MONDAY, 5th January, 1852.

1. Council met pursuant to adjournment; Speaker took the Chair.
2. **MAILS.** Mr. Splatt moved pursuant to notice,—
 - (1.) "That" in the present unparalleled crisis in the history of the Colony, this Council has learnt with feelings of apprehension and alarm that the Executive Government has refused to continue the following Mails from and after the 31st December, 1851, "viz. :"—
 - (1.) Kilmore to Maiden's Punt, by way of Campaspie.
 - (2.) Kyneton to Swan Hill, by way of Mount Alexander.
 - (3.) Colac and Port Fairy, by way of Timboon and Warrnambool.
 - (4.) Wardyallook and Elephant Bridge.
 - (5.) Port Fairy and the Grange, by Mount Napier.
 - (6.) Warrnambool and Port Fairy, by way of Woodford.
 - (7.) Port Fairy to Fiery Creek, by way of Muston's Creek.
 - "(2.)" That in the opinion of this Council the sudden stoppage of any established Mail line without ample notice to the public, would even in ordinary times prove most injurious to the best interests of the Colony, and the Executive Government would under such circumstances lay themselves open to much and deserved blame.
 - (3.) That in the opinion of this Council the sudden and unfortunate stoppage of so many lines, if not immediately resumed, cannot fail in the present alarming state of the interior to produce a universal want of confidence in the Executive Government of this "Colony." The Colonial Secretary moved the previous question.

Question put.—" Shall this question be now put."

Debate ensued.

Previous question by leave withdrawn

Mr. Murphy moved as an amendment that all the words following the word "that" in the first part of the above resolutions to and inclusive of the word "viz." be omitted, with a view to insert the words following viz. :—" This Council is of opinion that the stoppage of the undermentioned Mail lines is detrimental to the Public Interests, and is further of opinion that these lines should be continued, upon the responsibility of the advice now offered in this resolution," and that all the words from and inclusive of "(2)"; to and inclusive of the word "Colony" be omitted.

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

Question that the words proposed to be inserted, be so inserted,—put and passed.

Question that this Council is of opinion that the stoppage of the undermentioned Mail lines is detrimental to the Public Interest, and is further of opinion, that these lines should be continued upon the responsibility of the advice now offered in this resolution, viz. :—

 - (1.) Kilmore to Maiden's Punt, by way of Campaspie.
 - (2.) Kyneton to Swan Hill, by way of Mount Alexander.
 - (3.) Colac and Port Fairy, by way of Timboon and Warrnambool.
 - (4.) Wardyallook and Elephant Bridge.
 - (5.) Port Fairy and the Grange, by Mount Napier.
 - (6.) Warrnambool and Port Fairy, by way of Woodford.
 - (7.) Port Fairy to Fiery Creek, by way of Muston's Creek.—put and carried.
3. **LABOUR.**—Mr. Splatt moved, pursuant to notice, that this Council do affirm the following Resolutions :—
 - (1.) That every interest in the Colony is suffering greatly for the want of labour.
 - (2.) That in ordinary times, before the discovery of Gold, this Colony could well take at least ten thousand Immigrants annually.
 - (3.) That since the discovery of Gold, which has absorbed a large part, probably one-half, of the present available Labour of the Colony, a much larger supply of Immigrants, say at least Thirty Thousand annually, is absolutely necessary, and this, irrespective of all voluntary immigration.
 - (4.) That it is the bounden duty of the Local Executive Government to supply the Emigration Commissioners with Funds adequate to the importation of at least Thirty Thousand Immigrants annually for the next two years; and if sufficient Funds cannot be realized from current Sales of Land, the difference should be borrowed, on the security of the Land Revenue; and that, as voluntary immigration will probably consist of males chiefly, a large proportion of assisted immigration should be females.

The Colonial Secretary rose to a point of Order, that this question had already been substantially decided by this Council in this present Session, namely, on the 5th day of December last, on the motion of Mr. Goldsmith.

Question, That the motion be now put.

Council divided.

Ayes 4.

MR. WESTGARTH,
— SPLATT,
— O'SHANASSY,
— MURPHY, (Teller.)

Noes 11.

THE COLONIAL SECRETARY,
MR. MILLER,
THE AUDITOR GENERAL,
— MASTER IN EQUITY,
MR. FAWKNER,
— SMITH,
— RUSSELL,
— ROSS,
THE SOLICITOR GENERAL.
MR. CAMPBELL,
THE ATTORNEY GENERAL, (Teller)

- 4.—HARBOUR MASTER'S DEPARTMENT MELBOURNE.—Mr. O'Shanassy moved pursuant to amended Notice, "that" the Report of the Select Committee upon the Harbour Master's Department, Melbourne, laid before this Council on the 22nd day of December last, be adopted.

Mr. Smith moved as an amendment, That this Council do now proceed to the consideration of the Orders of the day.

Amendment put and negatived.

The Auditor General then moved, that Captain Bunbury be heard at the Bar of this Council prior to the consideration of the adoption of the above Report.

Amendment by leave withdrawn.

The Attorney General then moved as an amendment, that all the words following the word "that" be omitted with the view to insert the words following, viz., "The Report be referred back to the Select Committee, with the view of hearing the Harbour Master fully in his defence, and of further considering the matters referred to them, and that such Committee be empowered to reassemble and to report to this House at the next Session."

Question that the words proposed to be omitted stand part of the question.

Put and negatived.

Question that the words proposed to be inserted be so inserted.

Put and carried.

Question that the Report be referred back to the Select Committee, with the view of hearing the Harbour Master fully in his defence, and of further considering the matters referred to them, and that such Committee be empowered to reassemble and to report to this House at the next Session.

Put and carried.

5. UNAUTHORISED MINING RESTRICTION BILL.—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.

The Chairman having reported the Bill with further amendments, the Council adopted the Bill as so amended.

6. MELBOURNE GAS AND COKE COMPANY INCORPORATION BILL.—Mr Miller moved that this Bill be now read a Third time.

Question put and negatived.

7. UNAUTHORISED MINING RESTRICTION BILL.—The Chairman of Committees having certified that the fair Print of this Bill was in accordance with the Bill as reported with its amendments,

Bill on the motion of the Attorney General read a Third time and *passed*.

The Attorney General then moved that the following be the Title to the Bill, viz. :—" *An Act to restrain by Summary Proceeding Unauthorised Mining on Waste Lands of the Crown.*"

Question put and passed.

Council adjourned at half-past 7 o'clock until 1 o'clock to-morrow.

J. F. PALMER,

Speaker.

No. 34.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL,

TUESDAY, 6th January, 1852.

1. Council met pursuant to adjournment; Speaker took the Chair.
- 2.—**ASSENT TO BILLS.**—The Speaker reported that his Excellency, the Lieutenant Governor had been pleased to give the Royal Assent to the following Bills,
 - 1.—Uniform Rate of Postage Bill.
 - 2.—Administration of Justice Bill.
 - 3.—Savings Bank of Port Phillip Laws Amendment Bill.
 - 4.—Gambling and the use of Obscene Language Restriction Bill.
 - 5.—Chairman of General and Quarter Sessions Appointment Bill.
 - 6.—Public House Licensing Amendment Act Bill.
 - 7.—Unauthorised Mining on Waste Lands Restriction Bill.
- 3.—**BUSINESS OF THE SESSION.**—The Speaker reported that of Twenty-three Bills introduced into the Council during the Session, fifteen had passed and been assented to; one had lapsed in Committee of the whole Council; two had lapsed in the Council; one had been negatived on the motion for the Third Reading; three had been withdrawn, and one had been disposed of by the Question of "That day six months."
- 4.—**PROROGATION.**—His Excellency the Lieutenant Governor having arrived at the Chamber, and having been duly announced by the Sergeant-at-Arms, was received by the Speaker, and by him conducted to an elevated seat provided for him near the Speaker's Chair and read the following speech.

Mr. Speaker and Gentlemen of the Legislative Council,

The state of the public business enables me to release you from further attendance at this time in Council.

I thank you for the attention you have given to various subjects of importance brought under your notice, and more particularly for that bestowed upon the future appropriation of the Public Revenue.

The provision which you have sanctioned for the maintenance of the different branches of the Public Service would, doubtless, in ordinary times, be held, in the great majority of instances, to be amply sufficient for the purposes intended. Its insufficiency in certain important particulars, under the extraordinary circumstances in which the Colony is placed, must, nevertheless, be conceded; and as the Council has not felt disposed to admit as charges upon the Ordinary Revenue, any expenditure which, however obviously necessary, it may consider consequent upon the Gold discovery, and has declined to make the requisite provision to meet the extraordinary circumstances of the time, I have assumed the responsibility of sanctioning such additional expenditure as appears absolutely requisite, if the Public Service is not to be subjected to the most serious embarrassment, and have directed that such extraordinary expenditure should be borne upon the Territorial Revenue, pending reference to the Home Government.

The Council will nevertheless be aware, that there are branches of the Public Service, which no justifiable sacrifice or exertion on the part of the Executive Government can place upon a thoroughly satisfactory footing, or render thoroughly efficient, under the existing circumstances.

It has afforded me pleasure to accede at your request, to certain modifications in the Estimates originally laid on your table; and, in the prospect of a rapidly increasing Revenue, to sanction various additions to the original scheme of appropriation. A considerable addition has been made to the sums devoted to purposes of internal improvement, and it will be my duty to provide for their effectual and economical employment, whenever the circumstances of the Colony may give the requisite facilities.

I acknowledge the attentive consideration which the Council has given to the subject of the future administration of Justice in the Colony, and for the readiness with which it has supplied the deficiency in the sum devoted under the Imperial Act to the maintenance of its various branches.

The Address presented to me by the Council, deprecating the continuance of the System of Transportation to these Colonies, with the request that I would forward it to the Right Honorable the Secretary of State, has already been transmitted to its destination, with a confident expression of my belief, that on whatever grounds of expediency the continuance of this system may have been hitherto sanctioned, it will no longer be persisted in.

I will take also the earliest opportunity of transmitting a notification of the special appropriation made by the Council, with my concurrence, in aid of Steam Navigation to the Colonies.

I fully concur in the opinion of the Council, that notwithstanding the great additions to our population which the present development of the Mineral resources of the Colony are effecting, its interests urgently demand that the Emigration of certain classes should as heretofore be amply provided for from the public Revenues; and I am glad to have found myself in a position to make further considerable remittances to the Home authorities to this end, from the balance in the Treasury to the credit of the Territorial Revenue.

The various Addresses which I have received from the Council on subjects of general interest, will meet with the consideration from me which they are entitled to.

I now declare this Council to stand prorogued to Tuesday, the tenth day of February next.

C. J. LA TROBE.

His Excellency then retired, being conducted to the door by the Speaker, and the Council stood prorogued accordingly, to Tuesday, the tenth day of February next.

W. H. BAKER,

Speaker.

SELECT COMMITTEES,

APPOINTED DURING THE SESSION OF 1851-1852.

REPLY TO THE GOVERNOR'S OPENING SPEECH.

Appointed 13th November, 1851.

THE COLONIAL SECRETARY.	MR. GOLDSMITH.
MR. WESTGARTH.	MR. ROSS.
MR. MILLER.	DR. MURPHY.
MR. MERCER.	

STANDING RULES AND ORDERS.

Appointed 14th November, 1851.

THE SPEAKER.	MR. MILLER.
THE ATTORNEY GENERAL.	MR. SPLATT.
THE AUDITOR GENERAL.	

LIBRARY.

Appointed 14th November, 1851.

THE SPEAKER.	MR. GRIFFITH.
THE SOLICITOR GENERAL.	MR. FAWKNER.
MR. WESTGARTH.	

OF ELECTIONS AND QUALIFICATIONS.

Appointed by Speaker's Warrant, 14th November, 1851.

MR. DIGHT.	MR. RUTLEDGE.
MR. MERCER.	MR. SPLATT.
MR. MILLER.	MR. WESTGARTH.
MR. O'SHANASSY.	

STEAM COMMUNICATION.

Appointed 21st November, 1851.

MR. O'SHANASSY.	MR. MILLER.
MR. DUNLOP.	MR. MERCER.
MR. SPLATT.	MR. GOLDSMITH.
MR. GRIFFITH.	MR. WESTGARTH.

ROADS AND BRIDGES.

Appointed 25th November, 1851.

MR. MILLER.	MR. GRIFFITH.
MR. SNODGRASS.	MR. DUNLOP.
MR. HAINES.	MR. SPLATT.
MR. RUTLEDGE.	MR. TURNBULL.
MR. DIGHT.	MR. FAWKNER.

EMIGRANT SHIPS.

Appointed 28th November, 1851.

THE ATTORNEY GENERAL.	MR. JOHNSTON.
MR. SPLATT.	MR. DUNLOP.
MR. SNODGRASS.	MR. RUSSELL.

IMPOUNDING STOCK.

Appointed 2nd December, 1851.

MR. O'SHANASSY.
MR. DUNLOP.
MR. GRIFFITH.
MR. FAWKNER.

MR. HAINES.
MR. MURPHY.
MR. OSBORNE.
MR. SPLATT.
MR. CAMPBELL.

HARBOUR MASTER.

Appointed 5th December, 1851.

MR. RUTLEDGE.
MR. STRACHAN.
MR. OSBORNE.
MR. TURNBULL.

MR. WESTGARTH.
MR. RUSSELL.
MR. DUNLOP.

GOLD.

Appointed 5th December, 1851.

MR. MILLER.
MR. FAWKNER.
MR. WESTGARTH.
MR. GRIFFITH.

MR. SPLATT.
THE SOLICITOR GENERAL.
MR. SMITH.

MELBOURNE GAS AND COKE COMPANY.

Appointed 12th December, 1851.

MR. O'SHANASSY.
MR. FAWKNER.
MR. TURNBULL.

MR. SPLATT.
MR. MILLER.

VICTORIA.

LEGISLATIVE COUNCIL.

No 1.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

(Extracted from the Minutes.)

SESSION 1851.

WEDNESDAY, NOVEMBER 26, 1851.

No. 1.—FINANCE, 1851–1852.

Motion made and question put, that the Chairman report progress, and ask leave to sit again to-morrow. (*Mr. Miller.*)
Committee divided.

Ayes 19.

COLONIAL SECRETARY,
MR. SPLATT,
THE ATTORNEY GENERAL,
— AUDITOR GENERAL,
MR. O'SHANASSY,
— ROBINSON,
— WILKINSON,
— ROSS,
— JOHNSTON,
— FAWKNER,
— SMITH,
— SNODGRASS,
— DIGHT,
— MILLER,
— OSBORNE,
— WESTGARTH,
— STRACHAN,
— TURNBULL,
THE MASTER IN EQUITY (Teller.)

Noes 10.

THE SOLICITOR GENERAL,
MR. GOLDSMITH,
— MERCER,
— DUNLOP,
— HAINES,
— RUTLEDGE,
— CAMPBELL,
— RUSSELL,
— THE SPEAKER,
— GRIFFITH, (Teller.)

THURSDAY, NOVEMBER 27.

No. 2.—FINANCE, 1851–1852.

General Estimates for 1852.

Motion made and question put, That a sum not exceeding £60, be appropriated in lieu of House Rent to the Private Secretary, for the year 1852. (*The Auditor General.*)
Debate ensued.
Committee divided.

Ayes 14.

MR. CAMPBELL,
— HAINES,
— DUNLOP,
— RUSSELL,
— SNODGRASS,
THE COLONIAL SECRETARY,
THE SOLICITOR GENERAL,
— AUDITOR GENERAL,
— MASTER IN EQUITY,
MR. GRIFFITH,
— GOLDSMITH,
— ROSS,
— MERCER,
THE ATTORNEY GENERAL, (Teller.)

Noes 14.

MR. OSBORNE,
— SPLATT,
— MILLER,
— WESTGARTH,
— ROBINSON,
— O'SHANASSY,
— WILKINSON,
— FAWKNER,
— SMITH,
— RUTLEDGE,
— DIGHT,
— TURNBULL,
— STRACHAN,
— JOHNSTON, (Teller.)

And the Tellers having declared the numbers for the "Ayes" and "Noes" to be respectively 14 or equal, the Chairman gave his vote for the "Ayes" on the ground that, having no Estimates of previous years for his guidance, he presumed the Officers of the Government were the best judges of the requirements of the service, and declared the question to have passed in the affirmative.

No. 3.—Motion made and question put, That a Sum not exceeding £73 4s. be appropriated in lieu of forage for two Horses to the Aide-de-Camp for the year 1852. (*The Auditor-General.*)

Committee divided.

Ayes 17.

THE COLONIAL SECRETARY,
— ATTORNEY GENERAL,
— SOLICITOR GENERAL,
— AUDITOR GENERAL,
— MASTER IN EQUITY,
MR. GRIFFITH,
— GOLDSMITH,
— ROSS,
— SMITH,
— SNODGRASS,
— MERCER,
— RUTLEDGE,
— RUSSELL,
— DUNLOP,
— HAINES,
— CAMPBELL,
— SPLATT, (Teller.)

Noes 11.

MR STRACHAN,
— TURNBULL,
— DIGHT,
— FAWKNER,
— WILKINSON,
— JOHNSTON,
— O'SHANASSY,
— ROBINSON,
— WESTGARTH,
— MILLER,
— OSBORNE, (Teller.)

No. 4.—Question proposed, That a Sum not exceeding £50 be appropriated to defray the Incidental Expenses of His Excellency the Lieutenant-Governor's Establishment for the year 1852. (*The Auditor-General.*)

Debate ensued.

Motion made and question put, That a Sum not exceeding £25 be appropriated to defray the Incidental Expenses of His Excellency the Lieutenant-Governor's Establishment. (*Mr. Miller.*)

Committee divided.

Ayes 14.

MR. DIGHT,
— SNODGRASS,
— RUTLEDGE,
— MILLER,
— CAMPBELL,
— TURNBULL,
— OSBORNE,
— FAWKNER,
— STRACHAN,
— O'SHANASSY,
— WILKINSON,
— JOHNSTON,
— ROBINSON,
— WESTGARTH, (Teller.)

Noes 14.

MR. DUNLOP,
THE COLONIAL SECRETARY,
— ATTORNEY GENERAL,
— MASTER IN EQUITY,
— AUDITOR GENERAL,
MR. GRIFFITH,
— GOLDSMITH,
— RUSSELL,
— ROSS,
— HAINES,
THE SOLICITOR GENERAL,
MR. MERCER,
— SMITH,
— SPLATT (Teller.)

The numbers being equal the Chairman voted for the Noes, and declared the question to have passed in the negative.

VICTORIA.

LEGISLATIVE COUNCIL.

No 2.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

(Extracted from the Minutes.)

SESSION 1851.

WEDNESDAY, DECEMBER 3, 1851.

No. 1.—FINANCE, 1851–1852.

Question proposed that a sum not exceeding £300, be appropriated to defray the Salary of the Police Magistrate at Swan Hill (*The Auditor-General*).

Motion made and question put, that the Chairman report progress, and ask leave to sit again to-morrow. (*Mr. Johnston.*)
Committee divided.

Ayes 14.

THE MASTER IN EQUITY,
MR. WESTGARTH,
— MILLER,
— WILKINSON,
— FAWKNER,
— SNODGRASS,
— TURNBULL,
— STRACHAN,
— ROSS,
— HAINES,
— O'SHANASSY,
— GRIFFITH,
— JOHNSTON,
— OSBORNE, (Teller.)

Noes 12.

THE ATTORNEY GENERAL,
— COLONIAL SECRETARY,
— AUDITOR GENERAL,
— SOLICITOR GENERAL,
MR. SPLATT,
— RUSSELL,
— MERCER,
— RUTLEDGE,
— CAMPBELL,
— DUNLOP,
— ROBINSON,
— GOLDSMITH, (Teller.)

THURSDAY, DECEMBER 4.

No. 2.—Question proposed that a sum not exceeding £151 11s. 6d., be appropriated to defray contingent expenses connected with the Police Establishment at Benalla. (*The Auditor-General.*)

Motion made and question put, That the sum of £136 be appropriated to defray contingent expenses connected with the Police Establishment at Benalla.
Committee divided.

Ayes 8.

MR. OSBORNE,
— JOHNSTON,
— O'SHANASSY,
— ROBINSON,
— FAWKNER,
— WILKINSON,
— MILLER,
— WESTGARTH, (Teller.)

Noes 19.

THE ATTORNEY GENERAL,
— SOLICITOR GENERAL,
— AUDITOR GENERAL,
— MASTER IN EQUITY,
— SPLATT
— GOLDSMITH,
— GRIFFITH,
— HAINES,
— RUSSELL,
— RUTLEDGE,
— MERCER,
— CAMPBELL,
— TURNBULL,
— SNODGRASS,
— DIGHT,
— ROSS,
— STRACHAN,
— DUNLOP,
THE COLONIAL SECRETARY (Teller.)

No. 3.—Question proposed, That a sum not exceeding £3360, be appropriated to defray the salaries and contingencies of a Mounted Police Force Establishment. (*The Auditor-General.*)
Committee divided.

Ayes 11.

THE ATTORNEY GENERAL,
— SOLICITOR GENERAL,
— AUDITOR GENERAL,
— MASTER IN EQUITY,
MR. GRIFFITH,
— GOLDSMITH,
— HAINES,
— ROSS,
— RUSSELL,
— DUNLOP,
THE COLONIAL SECRETARY (Teller).

Noes 16.

MR. SPLATT,
— MILLER,
— WESTGARTH,
— JOHNSTON,
— O'SHANASSY,
— FAWKNER,
— ROBINSON,
— WILKINSON,
— MERCER,
— DIGHT,
— SNODGRASS,
— TURNBULL,
— STRACHAN,
— CAMPBELL,
— RUTLEDGE,
— OSBORNE, (Teller.)

No. 4.—Question proposed, That a sum not exceeding £2578 5s., be appropriated to defray the salaries and contingencies of a Native Police Establishment. (*The Auditor-General.*)
Committee divided.

Ayes 17.

THE COLONIAL SECRETARY,
— ATTORNEY GENERAL,
— SOLICITOR GENERAL,
— AUDITOR GENERAL,
— MASTER IN EQUITY,
MR. GRIFFITH,
— GOLDSMITH,
— SNODGRASS,
— ROSS,
— TURNBULL,
— DIGHT,
— HAINES,
— MERCER,
— RUSSELL,
— DUNLOP,
— CAMPBELL,
— SPLATT, (Teller.)

Noes 10.

MR. MILLER,
— WESTGARTH,
— JOHNSTON,
— O'SHANASSY,
— FAWKNER,
— WILKINSON,
— ROBINSON,
— STRACHAN,
— RUTLEDGE,
— OSBORNE, (Teller.)

VICTORIA.

LEGISLATIVE COUNCIL.

No 3.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

(Extracted from the Minutes.)

SESSION 1851.

WEDNESDAY, DECEMBER 10, 1851.

No. 1.—FINANCE, 1851-1852.

*General Estimates for 1852.*Question proposed—that a sum not exceeding £549 be appropriated towards the salaries of five Letter Carriers in the Post Office Department, Melbourne. (*The Auditor General.*)Motion made and question put, that a sum not exceeding £457 10s. be appropriated towards the salaries of five Letter Carriers in the Post Office Department, Melbourne. (*Mr. Strachan.*)

Committee divided.

Ayes 12.

MR. TURNBULL,
MR. WESTGARTH,
— STRACHAN,
— RUTLEDGE,
— MILLER,
— DIGHT,
— FAWKNER,
— WILKINSON,
— ROBINSON,
— JOHNSTON,
— O'SHANASSY,
— OSBORNE, (Teller.)

Noes 15.

MR. DUNLOP,
— MERCER,
— SPLATT,
— SNODGRASS,
— ROSS,
— HAINES,
THE SOLICITOR GENERAL,
— ATTORNEY GENERAL,
— AUDITOR GENERAL,
— MASTER IN EQUITY,
— COLONIAL SECRETARY,
MR. GRIFFITH,
— RUSSELL,
— SMITH,
— GOLDSMITH, (Teller.)

No. 2. Question proposed—that a sum not exceeding the sum of £219 12s. be appropriated towards the Salaries of two Letter Carriers in the Post Office, Department, Geelong. (*The Auditor General.*)Motion made and question put, that a sum not exceeding £183 be appropriated towards the salaries of two Letter Carriers in the Post Office Department, Geelong. (*Mr. Johnston.*)

Committee divided.

Ayes 12.

MR. WILKINSON,
— ROBINSON,
— FAWKNER,
— O'SHANASSY,
— MILLER,
— JOHNSTON,
— OSBORNE,
— TURNBULL,
— STRACHAN,
— RUTLEDGE,
— DIGHT,
— WESTGARTH, (Teller.)

Noes 15.

THE ATTORNEY GENERAL,
— SOLICITOR GENERAL,
— COLONIAL SECRETARY,
— AUDITOR GENERAL,
MR. GRIFFITH,
— GOLDSMITH,
— DUNLOP,
— MERCER,
— SPLATT,
— SNODGRASS,
— ROSS,
— HAINES,
— SMITH,
— RUSSELL,
— POHLMAN, (Teller.)

No. 3. Question proposed,—that the sum of £1000 be appropriated towards the erection of a Government House, Melbourne, and for laying out the grounds. (*The Auditor General.*)

Motion made and question put,—That the sum of £500 be appropriated towards laying out the grounds set apart for and to be attached to a Government House, Melbourne. (*Mr. Mercer.*)
Committee divided.

Ayes 13.
THE COLONIAL SECRETARY,
— SOLICITOR GENERAL,
— AUDITOR GENERAL,
MR. GRIFFITH,
THE MASTER IN EQUITY,
MR. HAINES,
— RUSSELL,
— MERCER,
— DUNLOP,
— SPLATT,
— RUTLEDGE,
— TURNBULL,
THE ATTORNEY GENERAL, (Teller.)

Noes 11.
MR. STRACHAN,
— DIGHT,
— WILKINSON,
— FAWKNER,
— ROBINSON,
— GOLDSMITH,
— JOHNSTON,
— O'SHANASSY,
— WESTGARTH,
— MILLER,
— OSBORNE, (Teller.)

No. 4.—Question proposed—that a sum not exceeding £250 be appropriated towards the expense of building Police Barracks at Chepstow. (*The Auditor General.*)
Committee divided.

Ayes 12.
THE SOLICITOR GENERAL.
— ATTORNEY GENERAL,
— AUDITOR GENERAL,
MR. GRIFFITH,
— GOLDSMITH,
— HAINES,
— ROSS,
— SNODGRASS,
— DUNLOP,
— RUSSELL,
— SPLATT
THE COLONIAL SECRETARY, (Teller.)

Noes 9.
MR. MILLER,
— WESTGARTH,
— STRACHAN,
— JOHNSTON,
— SMITH,
— WILKINSON,
— TURNBULL,
— RUTLEDGE,
— OSBORNE, (Teller.)

No. 5. Question proposed—that a sum not exceeding £2,750, be appropriated for the erection of Watchhouses at Heidelberg, Wangaratta, Flooding Creek, Chepstow, Carisbrook, Swan Hill, Benalla, Tarra Ville, Bacchus Marsh, Pearson's Station, and the Grange, at £250 each. (*The Auditor General.*)

Motion made and question put,—That a sum not exceeding £2,500 be appropriated for the erection of Watchhouses at Heidelberg, Wangaratta, Flooding Creek, Carisbrook, Swan Hill, Benalla, Tarra Ville, Bacchus Marsh, Pearson's Station and the Grange, at £250 each. (*Mr. Rutledge.*)
Committee divided.

Ayes 11.
MR. MILLER,
— O'SHANASSY,
— JOHNSTON,
— FAWKNER,
— ROBINSON,
— STRACHAN,
— TURNBULL,
— RUTLEDGE,
— WILKINSON,
— SMITH,
— OSBORNE, (Teller.)

Noes 14.
THE AUDITOR GENERAL,
— ATTORNEY GENERAL,
MR. WESTGARTH,
THE COLONIAL SECRETARY,
— MASTER IN EQUITY,
MR. GRIFFITH,
— RUSSELL,
— GOLDSMITH,
— HAINES,
— SNODGRASS,
— SPLATT,
— DUNLOP,
— ROSS,
THE SOLICITOR GENERAL, (Teller.)

THURSDAY, DECEMBER 11.

No. 6. Question proposed—that a sum not exceeding £600, be appropriated towards defraying the expense of the Salary and Passage from England of a Civil Engineer. (*The Auditor General.*)
Committee divided.

Ayes 20.

THE COLONIAL SECRETARY,
 — ATTORNEY GENERAL,
 — SOLICITOR GENERAL,
 — MASTER IN EQUITY,
 — AUDITOR GENERAL,
 MR. GRIFFITH,
 — GOLDSMITH,
 — ROSS,
 — SMITH,
 — TURNBULL,
 — SNODGRASS,
 — DIGHT,
 — FAWKNER,
 — HAINES,
 — RUSSELL,
 — DUNLOP,
 — STRACHAN,
 — MERCER,
 — RUTLEDGE,
 — SPLATT, (Teller).

Noes 7.

MR. MILLER,
 — WESTGARTH,
 — JOHNSTON,
 — O'SHANASSY,
 — ROBINSON,
 — WILKINSON,
 — OSBORNE, (Teller).

No. 7—Question proposed—that a sum of £500 be appropriated towards the erection of a Theatre at the Mechanics' Institution, Melbourne. (*The Auditor General*)
 Committee divided.

Ayes 19.

THE COLONIAL SECRETARY,
 MR. OSBORNE,
 THE ATTORNEY GENERAL,
 — SOLICITOR GENERAL,
 — MASTER IN EQUITY,
 MR. GRIFFITH,
 — O'SHANASSY,
 THE AUDITOR GENERAL,
 MR. JOHNSTON,
 — SPLATT,
 — RUTLEDGE,
 — MERCER,
 — MILLER,
 — RUSSELL,
 — HAINES,
 — DIGHT,
 — SNODGRASS,
 — TURNBULL,
 — WESTGARTH, (Teller.)

Noes 8.

MR. GOLDSMITH,
 — ROSS,
 — FAWKNER,
 — SMITH,
 — ROBINSON,
 — STRACHAN,
 — WILKINSON,
 — DUNLOP, (Teller.)

No. 8.—*Supplementary Estimate*—1851.

Question proposed—that a sum not exceeding £2000 be appropriated towards building Mounted Police Barracks at Melbourne. (*The Auditor General*)
 Committee divided.

Ayes 19.

THE COLONIAL SECRETARY,
 — AUDITOR GENERAL,
 — SOLICITOR GENERAL,
 MR. GRIFFITH,
 THE MASTER IN EQUITY,
 MR. GOLDSMITH,
 — ROSS,
 — SMITH,
 — STRACHAN,
 — DIGHT,
 — TURNBULL,
 — SNODGRASS,
 — HAINES,
 — DUNLOP,
 — MERCER,
 — SPLATT,
 — RUSSELL,
 — RUTLEDGE,
 THE ATTORNEY GENERAL, (Teller.)

Noes 7.

MR. MILLER,
 — WESTGARTH,
 — JOHNSTON,
 — O'SHANASSY,
 — FAWKNER,
 — WILKINSON,
 — OSBORNE, (Teller.)

VICTORIA.

LEGISLATIVE COUNCIL

No 4.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

(Extracted from the Minutes.)

SESSION 1851.

TUESDAY, DECEMBER 16, 1851.

No. 1.—FINANCE, 1851—52.

Queen's Wharves, Geelong.

Question proposed—that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to place on the Estimates for 1852, an increase of £1000 for forming the approaches to the Queen's Wharves, Geelong. (*Mr. Strachan.*)

Motion made and question put,—that the Chairman do now leave the Chair and report progress. (*Mr. Rutledge.*)

Committee divided.

Ayes 19.

THE COLONIAL SECRETARY,
— ATTORNEY GENERAL,
— SOLICITOR GENERAL,
— AUDITOR GENERAL,
— MASTER IN EQUITY,
MR GRIFFITH,
— GOLDSMITH,
— ROSS,
— FAWKNER,
— OSBORNE,
— O'SHANASSY,
— JOHNSTON,
— SMITH,
— DIGHT,
— WILKINSON,
— RUTLEDGE,
— SPLATT,
— CAMPBELL,
— SNODGRASS, (Teller.)

Nocs 7.

MR. DUNLOP,
— MERCER,
— STRACHAN,
— TURNBULL,
— ROBINSON,
— WESTGARTH,
— MILLER, (Teller.)

No. 2.—*Port Fairy Bar.*—Question proposed—that an Address be presented to his Excellency of £600 on the Governor, praying that His Excellency will be pleased to place the sum the Lieutenant Estimates for 1852, for removing the Port Fairy Bar (*Mr. Osborne.*)

Committee divided.

Ayes 10.

THE SOLICITOR GENERAL.
MR. OSBORNE,
— GOLDSMITH,
— ROBINSON,
— FAWKNER,
— RUTLEDGE,
— CAMPBELL,
— SPLATT,
— GRIFFITH,
— SNODGRASS, (Teller.)

Nocs 17.

MR. MILLER,
THE MASTER IN EQUITY,
MR. WESTGARTH,
— JOHNSTON,
— O'SHANASSY,
THE AUDITOR GENERAL,
MR. HAINES,
— SMITH,
— MERCER,
THE ATTORNEY GENERAL,
MR. DUNLOP,
— STRACHAN,
— TURNBULL,
— WILKINSON,
— ROSS,
— DIGHT,
THE COLONIAL SECRETARY, (Teller.)

WEDNESDAY, DECEMBER 17, 1851.

No. 3.—*General Estimates*.—Question proposed—that a sum not exceeding £12000 be appropriated for the Conveyance of all Inland Mails. (*The Auditor General*.)

Motion made and question put,—that a sum not exceeding £8000 be appropriated for the Conveyance of all Inland Mails. (*Mr. Miller*.)

Committee divided.

Ayes 11.
 MR. O'SHANASSY,
 — MILLER,
 — RUTLEDGE,
 — MERCER,
 — DIGHT,
 — WILKINSON,
 — FAWKNER,
 — JOHNSTON,
 — WESTGARTH,
 — SPLATT,
 — OSBORNE, (Teller.)

Noes 15.
 THE COLONIAL SECRETARY,
 — ATTORNEY GENERAL,
 — SOLICITOR GENERAL,
 — AUDITOR GENERAL,
 MR. GOLDSMITH,
 — GRIFFITH,
 — HAINES,
 — ROSS,
 — SNODGRASS,
 — TURNBULL,
 — STRACHAN,
 — CAMPBELL,
 — DUNLOP,
 — RUSSELL,
 THE MASTER IN EQUITY, (Teller).

THURSDAY, DECEMBER 18, 1851.

No. 4.—Question proposed—that a sum of One hundred pounds be appropriated for the salary of Visiting Chaplains to the Goal at Melbourne. (*The Auditor General*.)

Committee divided.

Ayes 13.
 THE AUDITOR GENERAL,
 — ATTORNEY GENERAL,
 — SOLICITOR GENERAL,
 — MASTER IN EQUITY,
 MR. GRIFFITH,
 — GOLDSMITH,
 — ROSS,
 — RUTLEDGE,
 — MERCER,
 — SPLATT,
 — RUSSELL,
 — DUNLOP,
 THE COLONIAL SECRETARY, (Teller.)

Noes 13.
 MR. HAINES,
 — CAMPBELL,
 — STRACHAN,
 — TURNBULL,
 — SNODGRASS,
 — WILKINSON,
 — ROBINSON,
 — FAWKNER,
 — O'SHANASSY,
 — JOHNSTON,
 — WESTGARTH,
 — MILLER,
 — OSBORNE, (Teller.)

The Tellers having declared the numbers for the "Ayes" and "Noes" to be respectively 13 or equal, the Chairman gave his vote for the "Ayes," and declared the question to have passed in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

No. 5.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

(Extracted from the Minutes.)

 SESSION 1851.

MONDAY, DECEMBER 22, 1851.

No. 1.—*Vagrancy Act Amendment Bill*.—Question proposed—that this Bill be read a first time. (*The Attorney General*)
Committee divided.

Ayes 14.

MR. SNODGRASS,
THE ATTORNEY GENERAL,
MR. GOLDSMITH,
THE SOLICITOR GENERAL,
— AUDITOR GENERAL,
— MASTER IN EQUITY,
MR. GRIFFITH,
— HAINES,
— ROSS,
— DUNLOP,
— MERCER,
— CAMPBELL,
— OSBORNE,
THE COLONIAL SECRETARY, (Teller.)

Noes 8.

MR. O'SHANASSY,
— STRACHAN,
— JOHNSTON,
— WILKINSON,
— FAWKNER,
— DIGHT,
MR. WESTGARTH,
— MILLER, (Teller.)

No. 2.—Question proposed—that the Chairman do now report progress. (*Mr. Fawcner*)
Committee divided.

Ayes 8.

MR. O'SHANASSY,
— FAWKNER,
— STRACHAN,
— JOHNSTON,
— DIGHT,
— MILLER,
MR. WILKINSON,
— WESTGARTH, (Teller.)

Noes 14.

THE ATTORNEY GENERAL,
MR. OSBORNE,
— MERCER,
THE MASTER IN EQUITY,
— AUDITOR GENERAL,
MR. GOLDSMITH,
— GRIFFITH,
— HAINES,
— ROSS,
— CAMPBELL,
THE COLONIAL SECRETARY,
MR. SNODGRASS,
— DUNLOP,
THE SOLICITOR GENERAL, (Teller.)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 6.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

(Extracted from the Minutes.)

 SESSION 1851-1852.

FRIDAY, JANUARY 2, 1852.

No. 1. UNAUTHORIZED MINING RESTRICTION BILL.

Clause 5.—That all fines and penalties recovered under this Act shall be appropriated “*and go One Moiety*” to Her Majesty, her Heirs, and Successors, for the Public Uses of the Colony, and in Support of the Government thereof, “*and the other Moiety to the Use of the Informer or Party prosecuting.*” (*The Attorney General.*)

Question proposed—“That the words ‘*and go One Moiety,*’ and ‘*and the other Moiety to the Use of the Informer or Party prosecuting*’ be omitted.” (*Mr. Smith.*)

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

Committee divided.

Ayes, 10.

THE COLONIAL SECRETARY,
— SPEAKER,
— ATTORNEY GENERAL,
MR. ROSS,
— HAINES,
THE AUDITOR GENERAL,
MR. CAMPBELL,
— SPLATT,
— WESTGARTH,
THE SOLICITOR GENERAL, (Teller.)

Noes, 7.

MR. JOHNSTON,
— O'SHANASSY,
— ROBINSON,
— SMITH,
— FAWKNER,
— DIGHT,
— MILLER, (Teller.)

