CAP. LVIII.

An Act to continue an Act for authorizing the Application of Highway Rates to Turnpike Roads. [5th *August* 1850.]

'WHEREAS an Act was passed in the Fifth Year of the Reign of Her Majesty, intituled *An Act to authorize for One Year, and until the End of the then next Session of Parliament, an Application of a Portion of the Highway Rates to Turnpike Roads in certain Cases*, which Act has been continued by sundry Acts until the First Day of *October* in the Year One thousand eight hundred and fifty, and to the End of the then next Session of Parliament; and it is expedient that the same be further continued:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be continued until the First Day of *October* in the Year One thousand eight hundred and fifty-one, and to the End of the then next Session of Parliament. 4 & 5 Vict. c. 59. Recited Act further continued.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may amended, &c.

CAP. LIX.

An Act for the better Government of Her Majesty's *Australian* Colonies. [5th *August* 1850.]

'WHEREAS by an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act for the Government of* New South Wales *and* Van Diemen's Land, it was enacted, that there should be within the Colony of *New South Wales* a Legislative Council, to consist of Thirty-six Members, and that Twelve of the Members of the said Council should from Time to Time, in the Manner therein mentioned, be appointed by Her Majesty, and that Twenty-four of the Members of the said Council should from Time to Time, in the Manner therein mentioned, be elected by the Inhabitants of the said Colony: And whereas an Act was passed in the Eighth Year of the Reign of Her Majesty, intituled *An Act to clear up Doubts as to the Regulation and Audit of the Accounts of the Customs in* New South Wales, and another Act was passed in the same Year, intituled *An Act to explain and amend the Act for the Government of* New South Wales *and* Van Diemen's Land: And whereas by an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to provide for the Administration of Justice in* New South Wales *and* Van Diemen's Land, *and for the more effectual Government thereof, and for other Purposes relating thereto*, His said Majesty, His Heirs and Successors, were empowered to appoint in *Van Diemen's Land* a Legislative Council, to consist of such Persons resident in the said Colony, not exceeding Fifteen nor less than Ten, as His Majesty, His Heirs and Successors, should be pleased to nominate: And whereas the Provisions of the last-mentioned Act, so far as respects the Council of *Van Diemen's Land*, have been made permanent by the said Act of the Sixth Year of Her Majesty: And whereas by an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act to provide for the better Government of* South Australia, Her Majesty is empowered, in manner therein mentioned, to constitute within the said Colony of *South Australia* a Legislative Council, consisting of the Governor and Seven other Persons at the least: And whereas by an Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to provide until the Thirty-first Day of* December *One thousand eight hundred and thirty-four for the Government of His Majesty's Settlements in* Western Australia *on the Western Coast of* New Holland, His said Majesty, His Heirs 5 & 6 Vict. c. 76. 7 & 8 Vict. c. 72, 7 & 8 Vict. c. 74. 9 G. 4. c. 83. 5 & 6 Vict. c. 61. 10 G. 4. c. 22.

'and Successors, with the Advice of His or their Privy Council, were empowered to make 'ordain, and (subject to such Conditions and Restrictions as to him or them should seem 'meet) to authorize and empower any Three or more Persons resident and being within the 'said Settlements to make, ordain, and constitute, Laws, Institutions, and Ordinances for 'the Peace, Order, and good Government of His Majesty's Subjects and others within 'the said Settlements: And whereas the last-mentioned Act has been from Time to Time 'continued, and ultimately, by an Act of the Tenth Year of Her Majesty, was continued 'until the Thirty-first Day of *December* One thousand eight hundred and forty-eight, and to the 'End of the then next Session of Parliament: And whereas it is expedient that the District 'of *Port Phillip*, now Part of the Colony of *New South Wales*, should be erected into a 'separate Colony, and that further Provision should be made for the Government of Her 'Majesty's *Australian* Colonies:' Be it enacted, therefore, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That after such Provisions as herein-after mentioned shall have been made by the Governor and Council of *New South Wales*, and upon the issuing of the Writs for the first Election in pursuance thereof, as herein-after mentioned, the Territories now comprised within the said District of *Port Phillip*, including the Town of *Melbourne*, and bounded on the North and North-east by a straight Line drawn from *Cape How* to the nearest Source of the River *Murray*, and thence by the Course of that River to the Eastern Boundary of the Colony of *South Australia*, shall be separated from the Colony of *New South Wales*, and shall cease to return Members to the Legislative Council of such Colony, and shall be erected into and thenceforth form a separate Colony, to be known and designated as the Colony of *Victoria*.

9 & 10 Vict. c. 35.

District of Port Phillip to form a separate Colony, to be known as the Colony of Victoria.

The Number of Legislative Council of New South Wales may be varied.

A separate Legislative Council for the Colony of Victoria.

II. And be it enacted, That the Number of Members of which, after such Separation as aforesaid, the Legislative Council of the Colony of *New South Wales* shall consist, shall, in manner herein-after mentioned, be determined by the Governor and Council of *New South Wales*; and there shall be within and for the Colony of *Victoria* a separate Legislative Council, to consist of such Number of Members as shall in like Manner be determined by the said Governor and Council; and such Number of the Members of the Legislative Council of each of the said Colonies respectively as is equal to One Third Part of the whole Number of Members of such Council, or if such whole Number be not exactly divisible by Three, One Third of the next greater Number which is divisible by Three, shall be appointed by Her Majesty, and the remaining Members of the Council of each of the said Colonies shall be elected by the Inhabitants of such Colony.

Governor and Council of New South Wales to establish Electoral Districts, &c.

III. And be it enacted, That after the Proclamation of this Act in the Colony of *New South Wales* it shall be lawful for the Governor and Legislative Council of such Colony, by an Act to be for that Purpose made and enacted in the Manner and subject the Conditions now by Law required in respect of Acts made and enacted by the said Governor and Council, to determine the Number of Members of which, after such Separation as aforesaid of the said District of *Port Phillip* therefrom, the Legislative Council of the Colony of *New South Wales* shall consist, and also to determine the Number of Members of which the Legislative Council of the said Colony of *Victoria* shall consist, and also to make all necessary Provisions for dividing the Territories which after such Separation will be comprised within the Colony of *New South Wales* into convenient Electoral Districts, or for continuing such of the existing Electoral Districts as shall be deemed convenient, and for appointing and declaring the Number of Members of the Council of the Colony of *New South Wales* after such Separation to be elected for each such District, and for dividing the Territories to be comprised in the Colony of *Victoria* into convenient Electoral Districts, and for appointing and declaring the Number of Members of the Council of the Colony of *Victoria* to be elected for each such District, and for the Compilation and Revision of Lists of all Persons qualified to vote at the Elections to be holden within the several Districts of the said Colonies, respectively, and for the appointing of Returning Officers, and for the issuing, executing, and returning of the necessary Writs for such Elections, and for taking the Poll thereat, and for determining the Validity of all disputed Returns, and otherwise for ensuring the orderly, effective, and impartial Conduct of such Elections; provided that the Writs to be issued for the first Election of Members of the Legislative Council of the Colony of *Victoria* shall

be

be issued by the Governor of *New South Wales* or by such Person as Her Majesty for that Purpose, by Warrant under Her Royal Sign Manual, countersigned by One of Her Majesty's Principal Secretaries of State, shall appoint.

Qualification of Voters at Elections for Members of the Legislative Council.

IV. And be it enacted, That every Man of the Age of Twenty-one Years, being a natural-born or naturalized Subject of Her Majesty or legally made a Denizen of *New South Wales*, and having a Freehold Estate in possession situate within the District for which his Vote is to be given, of the clear Value of One hundred Pounds Sterling Money above all Charges and Incumbrances in any way affecting the same, of or to which he has been seised or entitled, either at Law or in Equity, for at least Six Calendar Months next before the Date of the Writ of such Election, or in case a Registration of Electors shall be established next before the last Registration of Electors, or being a Householder within such District, occupying a Dwelling House of the clear annual Value of Ten Pounds Sterling Money, and having resided therein Six Calendar Months next before such Writ or Registration as aforesaid, or holding at the Date of such Writ or at the Time of such Registration a Licence to Depasture Lands within the District for which his Vote is to be given from the Government of *New South Wales*, or having a Leasehold Estate in possession situate within such District of the Value of Ten Pounds Sterling Money *per Annum*, held upon a Lease which at the Date of such Writ or at the Time of Registration has not less than Three Years to run, shall be entitled to vote at the Election of a Member of the Legislative Council: Provided always, that no Man shall be entitled to vote who has been attainted or convicted of Treason, Felony, or other infamous Offence in any Part of Her Majesty's Dominions, unless he have received a free Pardon or one conditional on not leaving the Colony for such Offence, or have undergone the Sentence passed on him for such Offence; and provided also, that no Man shall be entitled to vote unless at the Time of such Election or Registration of Electors (as the Case may be) he shall have paid up all Rates and Taxes which shall have become payable by him as Owner or Leaseholder in respect of such Estate or as Occupier in respect of such Occupancy, or as the Holder of a Licence in respect of such Licence, except such as shall have become payable during Three Calendar Months next before such Election or Registration respectively.

Authority of the Governor and Council of New South Wales over Colony of Victoria to cease.

V. And be it enacted, That upon the issuing of such Writs for the first Election of Members of the Legislative Council of the said Colony of *Victoria* such Colony shall be deemed to be established, and the Legislative Authority of the Governor and Council of *New South Wales*, and the Powers of such Governor, over and in respect of the Territories comprised in the said Colony of *Victoria* and the Revenues thereof, shall cease.

Three first-recited Acts to remain applicable to New South Wales after Separation of Victoria.

VI. And be it enacted, That, subject to the Provisions herein contained, the Provisions of the said firstly-recited Act of the Sixth Year of the Reign of Her Majesty, as explained and amended by the said Acts of the Eighth Year of Her Majesty, shall remain applicable to the said Colony of *New South Wales* after such Separation as aforesaid, and to the Governor and Legislative Council thereof.

Legislative Councils may be established in Van Diemen's Land and South Australia.

VII. And be it enacted, That it shall be lawful for the Legislatures now by Law established within the Colonies of *Van Diemen's Land* and *South Australia* respectively, by Laws or Ordinances to be for that Purpose made and enacted in the Manner and subject to the Conditions now by Law required in respect of Laws or Ordinances made by such Legislatures, to establish within the said Colonies of *Van Diemen's Land* and *South Australia* respectively a Legislative Council, to consist of such Number of Members, not exceeding Twenty-four, as they shall think fit; and that such Number of the Members of each Council so to be established as is equal to One Third Part of the whole Number of Members of such Council, or if such whole Number be not exactly divisible by Three such Number as is next greater than One Third of the whole Number, shall be appointed by Her Majesty, and the remaining Members of such Council shall be elected by the Inhabitants of the Colony in which such Council shall be established; and it shall be lawful for such Legislatures respectively, by such Laws or Ordinances as aforesaid, to make all necessary Provisions for dividing the said Colony of *Van Diemen's Land* and the said Colony of *South Australia* into convenient Electoral Districts, and for appointing and declaring the Number of Members of Council to be

be elected for each such District, and for the Compilation and Revision of Lists of all Persons qualified to vote at the Elections to be holden within such Districts, and for the appointing of Returning Officers, and for the issuing, executing, and returning of the necessary Writs for such Elections, and for taking the Poll thereat, and for determining the Validity of all disputed Returns, and otherwise for ensuring the orderly, effective, and impartial Conduct of such Elections.

Present Councils in Van Diemen's Land and South Australia to cease on the Issue of the first Writs for the new Councils.

VIII. And be it enacted, That immediately after the Issue of the Writs for the first Election of Members of a Legislative Council for *Van Diemen's Land* established by Law or Ordinance under the Powers herein contained, such of the Provisions of the Acts herein recited or referred to, or any of them, as relate to the Constitution, Appointment, and Powers of a Council in *Van Diemen's Land*, shall be repealed; and immediately after the Issue of the Writs for the first Election of Members of a Legislative Council for *South Australia* established by Law or Ordinance under the Powers herein contained, such of the Provisions of the secondly herein recited Act of the Sixth Year of the Reign of Her present Majesty as relate to the Constitution, Appointment, and Powers of a Council in *South Australia* shall be repealed.

A Legislative Council may be established in Western Australia.

IX. And be it enacted, That upon the Presentation of a Petition signed by not less than One Third in Number of the Householders within the Colony of *Western Australia*, praying that a Legislative Council according to the Provisions of this Act be established within such Colony, and that Provision be made for charging upon the Revenues of such Colony all such Part of the Expenses of the Civil Establishment thereof as may have been previously defrayed by Parliamentary Grants, it shall be lawful for the Persons authorized and empowered to make, ordain, and establish Laws and Ordinances for the Government of the said Colony, by any Law or Ordinance to be made for that Purpose, subject to the Conditions and Restrictions to which Laws or Ordinances made by such Persons are now subject, to establish a Legislative Council within such Colony, to consist of such Number of Members as they shall think fit, and such Number of the Members of such Council as is equal to One Third Part of the whole Number of Members of such Council, or if such Number be not exactly divisible by Three, One Third of the next greater Number which is divisible by Three, shall be appointed by Her Majesty, and the remaining Members of the Council shall be elected by the Inhabitants of the said Colony; and it shall be lawful for such Persons as aforesaid, by such Law or Ordinance as aforesaid, to make all necessary Provisions for dividing *Western Australia* into convenient Electoral Districts and for appointing and declaring the Number of Members of Council to be elected for each such District, and for the Compilation and Revision of Lists of all Persons qualified to vote at the Elections to be holden within such Districts, and for the appointing of Returning Officers, and for the issuing, executing, and returning of the necessary Writs for such Elections, and for taking the Poll thereat, and for determining the Validity of all disputed Returns, and otherwise ensuring the orderly, effective, and impartial Conduct of such Elections; provided that no Law or Ordinance establishing such Legislative Council within the said Colony of *Western Australia* shall have any Force or Effect unless Provision be thereby made for permanently granting to Her Majesty, Her Heirs and Successors, out of the Revenues of the said Colony, towards defraying such of the Expenses of the Establishments of the said Colony as may have been previously defrayed in whole or in part by Parliamentary Grants, a yearly Sum not less in Amount than the Sum which may have been lastly before the making of such Law or Ordinance authorized by Parliament to be issued and applied out of the Aids or Supplies granted by Parliament to defray the Charge for One Year of the said Colony, and for raising the yearly Sum so granted by means of sufficient Taxes, Duties, Rates, or Imposts to be levied on Her Majesty's Subjects within such Colony.

10 G. 4. c. 22. to continue in force till the Issue of the first Writs for the Council in Western Australia.

X. And be it enacted, That the said recited Act of the Tenth Year of the Reign of King *George* the Fourth shall be revived and continue in force until the Issue of the Writs for the first Election of Members of the Legislative Council of the said Colony of *Western Australia*, and from and after the issuing of such Writs such Act shall be repealed; and all Laws, Institutions, and Ordinances made, ordained, and established, and all other Acts done, in the said Colony of *Western Australia*, by the Persons authorized and empowered, or who if the said

said recited Act had not expired would have been authorized and empowered, in that Behalf, shall be and be deemed to have been as valid and effectual as if this Act had passed before the Expiration of the said recited Act.

Power to alter Electoral Districts, and Number of Members, &c.

XI. And be it enacted, That it shall be lawful for the Governor and Legislative Council of the Colony of *New South Wales*, after the Separation of the Colony of *Victoria* therefrom, and also for the Governors and Legislative Councils of the said Colonies of *Victoria*, *Van Diemen's Land*, *South Australia*, and *Western Australia* respectively, after the Establishment of Legislative Councils therein under this Act, from Time to Time by any Act or Acts to establish new Electoral Districts in any Parts of the said Colonies respectively, and to alter the Divisions and Extent of the Electoral Districts of the said Colonies, and to alter and appoint the Number of Members of Council to be chosen by the said Districts, and to increase the whole Number of Members of such Legislative Councils respectively, and to alter and regulate the Appointment of Returning Officers, and make Provision in such Manner as they may deem expedient for the Issue and Return of Writs for the Election of Members to serve in such Legislative Councils respectively, and the Time and Place for holding such Elections: Provided always, that where the whole Number of Members of Council shall be increased such Number of the additional Councillors as is equal to One Third Part of the whole Increase, or if such whole Increase shall not be exactly divisible by Three such Number as is next greater than One Third of the whole Increase, shall be appointed by Her Majesty, and the remaining additional Members of Council shall be elected by the Inhabitants of the Colony.

Certain Provisions of 5 & 6 Vict. c. 76. and 7 & 8 Vict. c. 74. to apply to Victoria, Van Diemen's Land, South Australia, and Western Australia.

XII. And be it enacted, That all the Provisions herein contained concerning the Qualification and Disqualification of Electors in *New South Wales*, and subject to the Provisions herein contained, all the Provisions of the said firstly-recited Act of the Sixth Year of the Reign of Her Majesty, as explained and amended by the said secondly-recited Act of the Eighth Year of Her Majesty, concerning the Election of the elective Members of the Legislative Council of *New South Wales;* the Qualification and Disqualification of elective Members; the Appointment of the non-elective Members of such Council, and the Tenure of their Seats, and their holding of Offices; the Resignation of Members of such Council, and the Causes by which their Seats may be vacated; the Authority of the Governor upon and in respect of Vacancies; the Hearing and Determination of Questions respecting Vacancies; the Places and Times of holding such Council; the Duration, Prorogation, and Dissolution thereof; the Election, Allowance, and Disallowance of the Speaker; the Number or Portion of Members competent to the Despatch of Business; the Decision of Questions; the Oath or Affirmation to be taken or made and subscribed, and the Declaration of Qualification to be made, by Members; the Preparation, Adoption, Approval, and Confirmation or Disallowance of Standing Rules and Orders; the Issue of Writs for Elections upon Vacancies and upon a Dissolution or other Determination of such Council; the Proposal of Drafts of Laws and Amendments to such Council; the giving and withholding of Her Majesty's Assent to Bills, and the Reservation of Bills for the Signification of Her Majesty's Pleasure thereon, and the Bills so reserved; the Instructions to be conveyed to the Governor for his Guidance in relation to the Matters aforesaid; and the Disallowance of Bills by Her Majesty, shall apply to and be in force in the Colony of *Victoria*, and in each of the said Colonies of *Van Diemen's Land*, *South Australia*, and *Western Australia*, in which a Legislative Council shall be established under this Act, as if all such Provisions were here repeated, the Name of such respective Colony being substituted for the Name of the Colony of *New South Wales*.

Repeal of so much of 5 & 6 Vict. c. 76. as requires all Bills altering Judges Salaries to be reserved.

XIII. Provided always, and be it enacted, That so much of the said firstly-recited Act of the Sixth Year of the Reign of Her Majesty as requires that all Bills altering the Salaries of the Judges, or any of them, shall in every Case be reserved for the Signification of Her Majesty's Pleasure thereon, shall not apply to or be in force in the Colonies of *Victoria*, *Van Diemen's Land*, *South Australia*, and *Western Australia*, or any of them, and after the Establishment of the said Colony of *Victoria* shall be repealed.

Governors and Legislative Councils of

XIV. And be it enacted, That the Governors of the said Colonies of *Victoria*, *Van Diemen's Land*, *South Australia*, and *Western Australia* respectively, with the Advice and Consent

Victoria, Van Diemen's Land, South Australia, and Western Australia authorized to make Laws.

Appropriation of Taxes and Issue of public Money.

Consent of the Legislative Councils to be established in the said Colonies under this Act, shall have Authority to make Laws for the Peace, Welfare, and good Government of the said Colonies respectively, and, with the Deductions and subject to the Provisions herein contained, by such Laws to appropriate to the public Service within the said Colonies respectively the whole of Her Majesty's Revenue within such Colonies arising from Taxes, Duties, Rates, and Imposts levied on Her Majesty's Subjects within such Colonies: Provided always, that no such Law shall be repugnant to the Law of *England*, or interfere in any Manner with the Sale or other Appropriation of the Lands belonging to the Crown within any of the said Colonies, or with the Revenue thence arising; and that it shall not be lawful for any such Council to pass, or for any such Governor to assent to, any Bill appropriating to the public Service any Sums or Sum of Money, unless the Governor on Her Majesty's Behalf shall first have recommended to the Council to make Provision for the specific public Service towards which such Money is to be appropriated; and that no Part of Her Majesty's Revenue in any of the said Colonies arising from the Sources aforesaid shall be issued, or shall be made by any such Law issuable, except in pursuance of Warrants under the Hand of the Governor of the Colony, directed to the public Treasurer thereof.

Revenues to be charged with Expenses of Collection and Management.

XV. And be it enacted, That the Revenues of the said Colonies of *Victoria*, *Van Diemen's Land*, *South Australia*, and *Western Australia* respectively shall be permanently charged with all the Costs, Charges, and Expenses incident to the Collection, Management, and Receipt thereof, such Costs, Charges, and Expenses of Duties of Import and Export to be regulated and audited in such Manner as shall be directed by the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, and all such Costs, Charges, and Expenses of other Branches of the said Revenue which are subject to be appropriated by the Governors and Councils of such Colonies being subject to be regulated and audited in such Manner as shall be directed by Laws of such Governors and Councils.

Provisions of 5 & 6 Vict. c. 76. concerning Grants for Civil and Judicial Services repealed.

XVI. And be it enacted, That after the Establishment of the said Colony of *Victoria* so much of the said firstly-recited Act of the Sixth Year of the Reign of Her Majesty as makes payable to Her Majesty, Her Heirs and Successors, out of the Revenue Fund of the said Colony of *New South Wales*, the Sums therein mentioned for defraying the Expenses of the Services and Purposes named in the Schedules to the said Act, and the Provisions concerning the Appropriation of such Sums, shall be repealed.

Grants for Civil and Judicial Services.

XVII. And be it enacted, That there shall be payable to Her Majesty, every Year, out of the Revenue Funds arising from Taxes, Duties, Rates, and Imposts levied within the said Colony of *New South Wales* after the Establishment of the Colony of *Victoria*, the several Sums mentioned in the Schedule (A.) to this Act; and out of the like Revenue Fund levied within the said Colony of *Victoria* after the Establishment thereof, the several Sums mentioned in the Schedule (C.) to this Act; and out of the like Revenue Fund levied within the Colony of *Van Diemen's Land* after the Establishment of a Legislative Council therein under this Act, the several Sums mentioned in the Schedule (C.) to this Act; and out of the like Revenue Fund levied within the Colony of *South Australia* after the Establishment of a Legislative Council therein under this Act, the several Sums mentioned in the Schedule (D.) to this Act; such several Payments to be made for defraying the Expenses of the Services and Purposes mentioned in the said Schedules respectively, and the said several Sums to be issued by the Treasurers of the said Colonies respectively in discharge of such Warrants as shall be from Time to Time directed to them under the Hands and Seals of the Governors of such Colonies; and the said Treasurers shall account to Her Majesty for the same through the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, in such Manner and Form as Her Majesty shall be graciously pleased to direct.

How the Appropriation of Sums granted may be varied.

XVIII. And be it enacted, That it shall be lawful for the Governors and Legislative Councils of the said Colonies of *New South Wales*, *Victoria*, *Van Diemen's Land*, and *South Australia* respectively, by any Act or Acts, to alter all or any of the Sums mentioned in the said Schedules respectively, and the Appropriation of such Sums to the Services and Purposes therein mentioned, but every Bill which shall be passed by the Council in any of the said Colonies altering the Salary of the Governor, or altering the Sums mentioned in the Third

Third Part of any of the said Schedules (A.), (B.), and (C.), shall be reserved for the Signification of Her Majesty's Pleasure thereon, and until and subject to such Alteration by Act or Acts as aforesaid the Salaries of the Governors and Judges shall be those respectively set against their several Offices in the First Parts of the said several Schedules; and Accounts in Detail of the Expenditure of the several Sums for the Time being appropriated under this Act, or such Act or Acts as aforesaid of the Governor and Legislative Council, to the several Services and Purposes mentioned in the said Schedules, shall be laid before the Legislative Councils of such Colonies respectively within Thirty Days next after the Beginning of the Session after such Expenditure shall have been made: Provided always, that it shall not be lawful for the Governor and Legislative Council of any of the said Colonies, by any such Act as aforesaid, to make any Diminution in the Salary of any Judge to take effect during the Continuance in Office of any Person being such Judge at the Time of the passing of such Act; and provided also, that it shall be lawful for the Governors of the said Colonies respectively (either before or after such Sums have been altered by Act or Acts of the Governor and Legislative Council as aforesaid) to alter from Time to Time the Sums appropriated to any of the Services and Purposes mentioned in the First Parts of the said Schedules, except the Salaries of the Governors and Judges, and also the Sums appropriated to any of the Services and Purposes mentioned in the Second Parts of the said Schedules, but such Governors respectively shall not by such Alteration increase the total Amount for the Time being appropriated under this Act, or such Act or Acts of the Governor and Legislative Council, to the Services and Purposes mentioned in either of such Parts of the said Schedules, nor contravene any Provision made by Act or Acts of the Governor and Legislative Council for the permanent Appropriation of any Sum to any of such Services and Purposes.

Governors to intimate intended Appropriation.

XIX. And be it enacted, That within Thirty Days after the Beginning of the first Session in each Year of the Legislative Councils of the said Colonies of *New South Wales*, *Victoria*, *Van Diemen's Land*, and *South Australia*, the Governors of such Colonies respectively shall make known by Message to such Legislative Councils the Amount of the Sums intended to be appropriated out of the Sums applicable thereto to the several Services and Purposes named in the Second Parts of the said several Schedules for the Service of the Year then next ensuing.

5 & 6 Vict. c. 76. s. 41.

XX. 'And whereas by the said firstly-recited Act of the Sixth Year of Her Majesty it 'was enacted, that it should be lawful for the Governor, by Letters Patent under the Great 'Seal of the Colony of *New South Wales*, to incorporate the Inhabitants of every County 'within the said Colony, or of such Parts of Counties or other Divisions as to him should 'seem fit, to form Districts for the Purposes of that Act, and by such Letters Patent to 'establish a Council in every such District for the local Government thereof, subject to 'certain Provisions in the same Act contained:' Be it enacted, That where under any Letters Patent issued under the Provision lastly herein-before recited there has not been before the Proclamation of this Act in the said Colony of *New South Wales* any Election of Councillors for the District formed by such Letters Patent, such Letters Patent shall from and after such Proclamation be void; and where before such Proclamation there has been an Election of Councillors for the District formed by any such Letters Patent, it shall be lawful for the Governor of the said Colony of *New South Wales*, and after the Establishment of the Colony of *Victoria* in the Case of a District within the Territories comprised in such Colony, for the Governor of such Colony, upon the Petition of the Council in such District, or if there be no such Council existing, then, upon the Petition of the inhabitant Householders of such District, by Letters Patent under the Great Seal of the said Colony of *New South Wales* or of the said Colony of *Victoria* (as the Case may require), wholly to revoke the Letters Patent forming such District; and it shall be lawful for the Governor of the said Colony of *New South Wales* or of the said Colony of *Victoria* (as the Case may require), upon the Petition of the inhabitant Householders of any District heretofore formed by any such Letters Patent as aforesaid which shall become void or be revoked under this Act, or of any County, Part of a County, or other Division comprised in any such District, or in more than One such District, or of any other County, Part of a County, or other Division not

Certain Charters establishing District Councils avoided, and certain others authorized to be revoked on Petition.

Governors of New South Wales and Victoria may grant Charters on Petition, but not otherwise.

not comprised in any District formed by any such Letters Patent as aforesaid which shall continue in force, or by any Letters Patent to be issued as herein-after mentioned, by Letters Patent under the Great Seal of the said Colony of *New South Wales* or of the said Colony of *Victoria* (as the Case may require) to incorporate the Inhabitants of such District or of such County, Part of a County, or other Division to form a District for the Purposes of the said firstly-recited Act of the Sixth Year of Her Majesty, and of this Act, and by such Letters Patent to establish a Council in every such District for the Local Government thereof; provided always, that Notice of every such Petition for the Grant of such Letters Patent for forming a District and establishing a Council therein, and of the Time when the Governor intends to take the same into consideration, shall be published by Proclamation One Month at least before the Consideration of such Petition; and the Provisions of the said firstly-recited Act of the Sixth Year of Her Majesty, concerning the Provisions to be contained in Letters Patent issued under that Act for forming Districts and establishing a Council in every such District, shall extend and be applicable to all Letters Patent issued under this Act for forming Districts and establishing District Councils as if such Provisions of the said Act were here repeated, the Name of the Colony of *Victoria*, where the Case may require, being substituted for the Name of the Colony of *New South Wales;* and, save as herein provided, it shall not be lawful for the Governor of the said Colony of *New South Wales* to form Districts and establish Councils in such Districts as by the lastly herein-before recited Enactment authorized or required.

Preceding Enactment extended to Van Diemen's Land, South Australia, and Western Australia, after Establishment of Legislative Councils.

XXI. And be it enacted, That the Provision of the said firstly-recited Act of the Sixth Year of Her Majesty as amended by this Act, authorizing the Governor of the said Colony of *New South Wales*, upon such Petition as herein mentioned, to form Districts, and establish a Council in every such District, shall apply to and be in force in each of the said Colonies of *Van Diemen's Land*, *South Australia*, and *Western Australia*, in which a Legislative Council shall be established under this Act, as if such Provision were here repeated, the Name of such respective Colony being substituted for the Name of the Colony of *New South Wales*.

Provisions of 5 & 6 Vict. c. 76. concerning District Councils, &c. extended to District Councils established under this Act.

XXII. And be it enacted, That all the Provisions of the said firstly-recited Act of the Sixth Year of Her Majesty, concerning the Authority of District Councils to make Bye Laws, the Transmission of a Copy of every such Bye Law to the Governor of the Colony, the Disallowance and the Time of coming into effect of such Bye Law, the Authority of the Governor to specify the Metes and Bounds of Districts, the Number of Councillors for every District, and the Time and Manner of their Election, to fix the Qualification of the Councillors, to nominate the Councillors who shall form the First Councils in every District, to appoint the Order and Manner of their going out of Office, to fix Penalties for qualified Persons refusing to take Office in the Council, and to make all other necessary Provisions for establishing District Councils, for defining their Powers, and enabling them to exercise their Functions, and the Authority of the Governor in every Case of Vacancy of the Office of District Councillor, if a new Election be not made within the Time in the same Act mentioned, to nominate a Person to fill the Vacancy, shall extend and be applicable to all Letters Patent issued under this Act for forming Districts and establishing District Councils, and to such Districts and District Councils, as if all such Provisions were here repeated, the Name of the Colony in which such District is formed being (where the Case may require) substituted for the Name of the Colony of *New South Wales*.

Certain Provision of 5 & 6 Vict. c. 76., requiring Half the Expense of the Police Establishment to be borne by the several Districts, repealed.

XXIII. 'And whereas by the said firstly-recited Act of the Sixth Year of the Reign of 'Her Majesty it was enacted, that one Half of the Expense of the Police Establishment 'of the said Colony of *New South Wales* (exclusive of the Convict Establishment) should be 'defrayed out of the general Revenue arising from Taxes, Duties, Rates, and Imposts within 'the said Colony, and the other Half should be defrayed by Assessment upon the several 'Districts of the Colony, in such Proportions as should be from Time to Time fixed by the 'Governor and Legislative Council:' Be it enacted, That so much of the Provision lastly herein-before recited as requires that Half of the Expense of such Police Establishment as aforesaid shall be defrayed by Assessment upon the several Districts of the Colony shall be repealed.

XXIV. And

XXIV. And be it enacted, That, notwithstanding any Letters Patent issued under the said firstly-recited Act of the Sixth Year of the Reign of Her Majesty, or to be issued under this Act, or anything in either of such Acts contained, it shall be lawful for the Governors and Councils of the said Colonies of *New South Wales, Victoria, Van Diemen's Land, South Australia*, and *Western Australia* respectively by any Act or Acts to make such Regulations and Provisions for or concerning the raising, assessing, and levying of Tolls, Rates, and Assessments within or on or in respect of any public Works or any Property within Districts formed in such Colonies respectively under the said Act or this Act, and the Appropriation of such Tolls, Rates, and Assessments, and to make such Alterations and Provisions in and concerning the Constitution, Duties, and Powers of District Councils, and such Alterations in the Number and Boundaries of Districts, and such Provisions for establishing District Councils in new or altered Districts, as to such respective Governors and Councils may seem meet.

Governors and Legislative Councils may regulate Tolls and Rates in Districts, alter Constitution and Duties of District Councils and Number and Boundaries of Districts.

XXV. And be it enacted, That all Laws and Ordinances made under the Provisions hereby repealed or otherwise, and which shall be in force in the Territories comprised in the said Colony of *Victoria*, and in the said Colonies of *Van Diemen's Land, South Australia*, and *Western Australia* respectively, at the Time of the Issue of the Writs for the first Election of Legislative Councils in the said Colonies respectively under this Act, so far as the same are consistent with the Provisions of this Act, shall continue in force in the said Colonies respectively, subject, as to such Laws or Ordinances as would then have remained subject to be disallowed by Her Majesty, to the Authority of Her Majesty to disallow the same within the Time within which such Disallowance might have been signified in case this Act had not been passed, and subject to the Power of the Governors and Legislative Councils of the said respective Colonies, in the Manner and subject to the Rules and Restrictions herein prescribed, to repeal or vary such Laws or Ordinances; and where under any Law which shall be in force at the Time aforesaid in the Territories to be comprised in the Colony of *Victoria* any Powers are vested in or may be delegated to the Governor of *New South Wales*, the same, so far as respects all Territories to be comprised within the Colony of *Victoria*, and so far as the same are consistent with the Provisions of this Act, shall thenceforth be vested in and may be delegated to the Governor of the said Colony of *Victoria*.

Existing Laws to remain in force.

XXVI. And be it enacted, That so much of the said Act of the Ninth Year of the Reign of King *George* the Fourth as requires that the Purposes for which every such Tax or Duty as therein mentioned may be imposed, and to or towards which the Amount thereof is to be appropriated and applied, shall be distinctly and plainly stated in the Body of every Law or Ordinance imposing every such Tax or Duty, shall be repealed; and no such Law or Ordinance made or to be made by the Governor and Council of *Van Diemen's Land*, and enrolled and recorded in the Supreme Court of the said Colony, shall be or deemed to have been invalid by reason of such Purposes not being so stated in the Body of such Law or Ordinance.

Removing Doubts as to certain Taxes imposed by Governor and Council of Van Diemen's Land.

XXVII. And be it enacted, That, subject to the Provisions of this Act, and notwithstanding any Act or Acts of Parliament now in force to the contrary, it shall be lawful for the Governor and Legislative Council of the Colony of *New South Wales*, and after the Establishment of Legislative Councils therein respectively under this Act for the respective Governors and Legislative Councils of the Colonies of *Victoria, Van Diemen's Land, South Australia*, and *Western Australia*, to impose and levy such Duties of Customs as to such respective Governors and Councils may seem fit on the Importation into such respective Colonies of any Goods, Wares, and Merchandize whatsoever, whether the Produce or Manufacture of or imported from the United Kingdom, or any of the Colonies or Dependencies of the United Kingdom, or any Foreign Country: Provided always, that no new Duty shall be so imposed upon the Importation into any of the said Colonies of any Article the Produce or Manufacture of or imported from any particular Country or Place which shall not be equally imposed on the Importation into the same Colony of the like Article the Produce or Manufacture of or imported from all other Countries and Places whatsoever.

Customs Duties may be imposed on any Goods.

A Supreme Court may be erected in the Colony of Victoria.

XXVIII. 'And whereas under an Act of the Governor and Council of *New South Wales* 'passed in the Fourth Year of the Reign of Her Majesty, intituled *An Act to provide for* 'the more effectual Administration of Justice in New South Wales and its Dependencies, the 'Number of the Judges of the Supreme Court of *New South Wales* constituted under the 'said Act of the Ninth Year of King *George* the Fourth has been increased to Five, and 'One of such Judges is resident, and has such Power, Jurisdiction, and Authority within 'the District of *Port Phillip*, subject to such Appeal to the said Supreme Court, as by the 'said Act of the Governor and Council of *New South Wales* is provided:' Be it enacted, That it shall be lawful for Her Majesty, by Letters Patent under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, to erect and appoint a Court of Judicature in the said Colony of *Victoria*, which shall be styled "The Supreme Court of the Colony of *Victoria*;" and such Court shall be holden by One or more Judge or Judges, and shall have such ministerial and other Officers as shall be necessary for the Administration of Justice in the said Court, and for the Execution of the Judgments, Decrees, Orders, and Process thereof; and all the Provisions of the said Act of the Ninth Year of the Reign of King *George* the Fourth, concerning the Appointment and Removal of Judges and Officers of the Supreme Court of *New South Wales*, and for appointing Persons to act in the Place and Stead of Judges being absent, resigning, dying, or becoming incapable to act, and concerning Appeals to Her Majesty in Council from Judgments, Decrees, Orders, or Sentences of such Court, shall apply to the said Supreme Court to be erected in the said Colony of *Victoria*, but so that the Powers of the Governor of *New South Wales* in relation to the Matters aforesaid shall be vested in the Governor of the Colony of *Victoria*; and from such Time as shall be mentioned in such Letters Patent all the Authorities, Powers, and Jurisdiction of the Supreme Court of *New South Wales*, and of any Judge thereof, over or to be exercised within or in relation to the said Colony of *Victoria*, including all Admiralty Jurisdiction exercisable within the Limits thereof, shall cease to be had and exercised by such last-mentioned Supreme Court and Judge respectively, and shall thenceforth be vested in and exercisable by the Supreme Court erected by such Letters Patent; provided that in the meantime the said Authorities, Powers, and Jurisdiction of the said Supreme Court of *New South Wales* and of the Judges thereof, within and in respect of the said Colony of *Victoria* shall remain as if this Act had not been passed, unless or until the same shall be varied by Act of the Governor and Council of the said Colony of *Victoria*.

Legislatures of New South Wales, Van Diemen's Land, and Victoria empowered to make further Provisions for the Administration of Justice.

XXIX. And be it enacted, That it shall be lawful for the Governors and Councils of the said Colonies of *New South Wales*, *Van Diemen's Land*, and *Victoria* respectively, from Time to Time, by any Act or Acts, to make such Provision as to them may seem meet for the better Administration of Justice, and for defining the Constitution of the Courts of Law and Equity and of Juries, within the said Colonies respectively, or within any present or future Dependencies thereof respectively, anything in the said Act of the Ninth Year of King *George* the Fourth, or in this Act, or in any Charter of Justice or Order in Council made or issued in pursuance thereof respectively, or in any Law, Statute, or Usage, to the contrary thereof notwithstanding.

Boundaries of New South Wales and Victoria may be altered by Order in Council.

XXX. And be it enacted, That in case at any Time hereafter the Legislative Councils of the said Colonies of *New South Wales* and *Victoria*, or the Legislative Council of one of the said Colonies, shall petition Her Majesty to alter the Boundaries of the said Colonies of *New South Wales* and *Victoria*, so as to transfer to one of such Colonies a Portion of the Territories which, after the Separation authorized by this Act, shall be comprised in the other of them, it shall be lawful for Her Majesty, if She shall think fit, by any Order to be made with the Advice of Her Privy Council, to alter such Boundaries in pursuance of the Prayer of such Petitions or Petition, or in such varied Manner as Her Majesty with such Advice shall think fit: Provided always, that unless the Councils of both the said Colonies shall petition for an Alteration of such Boundaries, Notice of the Petition, and of the Intention of Her Majesty to order the same to be taken into consideration by Her Privy Council, shall be given in such Manner as Her Majesty shall direct to the Legislative Council which shall not have petitioned, Six Months at least before such Petition shall be so considered.

XXXI. Pro-

XXXI. Provided also, and be it enacted, That it shall not be lawful for the Legislatures of any of the said Colonies to levy any Duty upon Articles imported for the Supply of Her Majesty's Land or Sea Forces, nor to levy any Duty, impose any Prohibition or Restriction, or grant any Exemption, Bounty, Drawback, or other Privilege, upon the Importation or Exportation of any Articles, nor to impose any Dues or Charges upon Shipping, contrary to or at variance with any Treaty or Treaties concluded by Her Majesty with any Foreign Power.

Duties not to be levied on Supplies for Troops; nor any Duties, &c. inconsistent with Treaties.

XXXII. And be it enacted, That, notwithstanding anything herein-before contained, it shall be lawful for the Governor and Legislative Council of the Colony of *New South Wales* after the Separation therefrom of the Colony of *Victoria*, and for the Governors and Legislative Councils of the said Colonies of *Victoria*, *Van Diemen's Land*, *South Australia*, and *Western Australia* respectively, after the Establishment of Legislative Councils therein under this Act, from Time to Time, by any Act or Acts to alter the Provisions or Laws for the Time being in force under this Act, or otherwise, concerning the Election of the elective Members of such Legislative Councils respectively, the Qualification of Electors and elective Members, or to establish in the said Colonies respectively, instead of the Legislative Council, a Council and a House of Representatives, or other separate Legislative Houses, to consist respectively of such Members to be appointed or elected respectively by such Persons and in such Manner as by such Act or Acts shall be determined, and to vest in such Council and House of Representatives or other separate Legislative Houses the Powers and Functions of the Legislative Council for which the same may be substituted: Provided always, that every Bill which shall be passed by the Council in any of the said Colonies for any of such Purposes shall be reserved for the Signification of Her Majesty's Pleasure thereon; and a Copy of such Bill shall be laid before both Houses of Parliament for the Space of Thirty Days at the least before Her Majesty's Pleasure thereon shall be signified.

Power to Governors and Councils, with Assent of Her Majesty in Council, to alter the Constitution of the Legislative Councils.

XXXIII. Provided always, and be it enacted, That the Provisions of the said firstly-recited Act of the Sixth Year of the Reign of Her Majesty, as explained and amended by the said secondly-recited Act of the Eighth Year of the Reign of Her Majesty, concerning Bills reserved for the Signification of Her Majesty's Pleasure thereon, shall be applicable to every Bill so reserved under the Provisions of this Act.

Provision as to the Reservation of Bills for Signification of Her Majesty's Pleasure.

XXXIV. 'And whereas by the said firstly-recited Act of the Sixth Year of the Reign of 'Her Majesty Power is reserved to Her Majesty by Letters Patent to be from Time to Time 'issued under the Great Seal of *Great Britain* and *Ireland* to define the Limits of the said 'Colony of *New South Wales*, and to erect into a separate Colony or Colonies any Territories 'which then were or were reputed to be or thereafter might be comprised within the said 'Colony of *New South Wales*, provided that no Part of the Territories lying Southward of 'the Twenty-sixth Degree of South Latitude in the said Colony of *New South Wales* should 'by any such Letters Patent as aforesaid be detached from the said Colony: And whereas it 'is expedient that the Power reserved to Her Majesty as aforesaid should be extended over 'certain Parts of the said Territories lying Southward of the Twenty-sixth Degree of South 'Latitude, upon the Application of the Inhabitants thereof:' Be it enacted, That it shall be lawful for Her Majesty from Time to Time, upon the Petition of the Inhabitant Householders of any such of the Territories in the said recited Proviso mentioned as lie Northward of the Thirtieth Degree of South Latitude, to detach such Territories from the Colony of *New South Wales*, and to erect such Territories into a separate Colony or Colonies, or to include the same in any Colony or Colonies to be established under the Powers of the last-mentioned Act; and all the Powers and Provisions of the last-mentioned Act in respect to any new Colony or Colonies to be established under such Act shall extend to any new Colony or Colonies to be established under this Enactment.

Provision of 5 & 6 Vict. c. 76. reserving Powers to define Limits, &c. of New South Wales extended.

Upon Petition of Inhabitants, Territories lying Northward of Thirtieth Degree of South Latitude may be detached from New South Wales.

XXXV. Provided always, and be it enacted, That it shall be lawful for the Legislature which may be constituted according to the Provisions of the last-mentioned Act in any Colony established under such Act, or under the Enactment herein-before contained, by any Ordinance or Ordinances to be made for that Purpose, subject to the Conditions and Restrictions

Legislative Councils may be established in the newly erected Colonies.

Restrictions to which Ordinances to be made by such Legislature may by Law be subject, to establish a Legislative Council within such Colony, to consist of such Number of Members as they shall think fit; and such Number of the Members of such Council as is equal to One Third Part of the whole Number of Members of such Council, or if such Number be not exactly divisible by Three, One Third of the next greater Number which is divisible by Three, shall be appointed by Her Majesty, and the remaining Members of the Council shall be elected by the Inhabitants of such Colony; and it shall be lawful for such Legislature, by such Law or Ordinance as aforesaid, to make all necessary Provisions for dividing such Colony into convenient Electoral Districts, and for appointing and declaring the Number of Members of Council to be elected for each such District, and for the Compilation and Revision of Lists of all Persons qualified to vote at the Elections to be holden within such Districts, and for the appointing of Returning Officers, and for the issuing, executing, and returning of the necessary Writs for such Elections, and for taking the Poll thereat, and for determining the Validity of all disputed Returns, and otherwise ensuring the orderly, effective, and impartial Conduct of such Elections; and upon the Establishment in such Colony of a Legislative Council under this Provision, all the Provisions of this Act and of the said firstly-recited Act of the Sixth Year of Her Majesty, and of the said secondly-recited Act of the Eighth Year of Her Majesty, which are hereby made applicable to the Colony of *Western Australia*, after the Establishment under this Act of a Legislative Council therein, shall become applicable to the Colony in which a Legislative Council is established under this Provision, as if all such Provisions were here repeated and applied to every such Colony.

Interpretation of "Governor."

XXXVI. And be it enacted, That by the Term "Governor" of the Colonies mentioned in this Act, as used in this Act, shall be understood the Persons for the Time being lawfully administering the Government of such Colonies respectively, and until Her Majesty shall issue a Commission appointing a Governor of the Colony of *Victoria*, the Superintendent of *Port Phillip* shall be deemed the Person administering the Government of the Colony of *Victoria*.

Commencement of this Act.

XXXVII. And be it enacted, That this Act shall be proclaimed in *New South Wales*, *Van Diemen's Land*, *South Australia*, and *Western Australia*, by the respective Governors thereof, within Six Weeks after a Copy of such Act shall have been received by such Governors respectively, and, save as herein expressly provided, shall take effect within such Colonies respectively from the Day of such Proclamation thereof.

Act may be amended, &c.

XXXVIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULES referred to in the foregoing Act.

NEW SOUTH WALES.

SCHEDULE (A.) Part 1.

	£
Governor - - - - - -	5,000
Chief Justice - - - - -	2,000
Two Puisne Judges - - - - -	3,000
Salaries of the Attorney and Solicitor General, Crown Solicitor, and contingent and miscellaneous Expenses of the Administration of Justice throughout the Colony - - -	19,000
	29,000

SCHEDULE (A.) Part 2.

	£
Colonial Secretary, and his Department	6,500
Colonial Treasurer, and his Department	4,000
Auditor General, and his Department	3,000
Salary of Clerk, and miscellaneous Expenses of Executive Council	500
Pensions	2,500
	16,500

SCHEDULE (A.) Part 3.

	£
Public Worship	28,000

VICTORIA.

SCHEDULE (B.) Part 1.

	£
Governor	2,000
Judge	1,500
Salaries of Attorney General and Crown Solicitor, and contingent and miscellaneous Expenses of the Administration of Justice throughout the Colony	5,000
	8,500

SCHEDULE (B.) Part 2.

	£
Colonial Secretary, and his Department	2,000
Colonial Treasurer, and his Department	1,500
Auditor General and his Department	1,100
Salary of Clerk of Executive Council, and miscellaneous Expenses	400
Pensions	500
	5,500

SCHEDULE (B.) Part 3.

	£
Public Worship	6,000

VAN DIEMEN'S LAND.

SCHEDULE (C.) Part 1.

	£
Governor	2,000
Chief Justice	1,500
Puisne Judge	1,200
Salaries of Attorney and Solicitor General, Crown Solicitors, and contingent and miscellaneous Expenses of Administration of Justice throughout the Colony	13,300
	18,000

SCHEDULE (C.) Part 2.

	£
Colonial Secretary, and his Department - - -	2,800
Colonial Treasurer, and his Department - - -	1,800
Auditor General, and his Department - - - -	1,600
Salary of Clerk of Executive Council, and miscellaneous Expenses	700
Pensions - - - - - -	2,000
	8,900

SCHEDULE (C.) Part 3.

	£
Public Worship - - - - -	15,000

SOUTH AUSTRALIA.

SCHEDULE (D.) Part 1.

	£
Governor - - - - - -	2,000
Judge - - - - - -	1,000
Salaries of the Advocate General and Crown Solicitor, and contingent and miscellaneous Expenses of the Administration of Justice throughout the Colony - - - -	5,000
	8,000

SCHEDULE (D.) Part 2.

	£
Colonial Secretary, and his Department - - - -	2,000
Colonial Treasurer, and his Department - - -	1,500
Auditor General, and his Department - - - -	1,000
Salary of Clerk of Executive Council, and miscellaneous Expenses	500
	5,000

CAP. LX.

An Act to consolidate and amend the Laws relating to the Conveyance and Transfer of Real and Personal Property vested in Mortgagees and Trustees. [5th *August* 1850.]

11 G. 4. & 1 W. 4. c. 60.

4 & 5 W. 4. c. 23.

1 & 2 Vict. c. 69.

'WHEREAS an Act was passed in the First Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for amending the Laws respecting Conveyances and Transfers of Estates and Funds vested in Trustees and Mortgagees, and for enabling Courts of Equity to give Effect to their Decrees and Orders in certain Cases:* And whereas an Act was passed in the Fifth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Amendment of the Law relative to the Escheat and Forfeiture of Real and Personal Property holden in trust:* And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to remove Doubts respecting Conveyances of Estates vested in Heirs and Devisees of Mortgagees:* And whereas it is expedient that the Provisions of the said Acts should be consolidated and enlarged:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Proceedings under