



SUPPLEMENT  
TO THE  
NEW SOUTH WALES  
GOVERNMENT GAZETTE,

OF FRIDAY, 17 OCTOBER, 1851.

*Published by Authority.*

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MR. SPEAKER, AND GENTLEMEN OF THE LEGISLATIVE COUNCIL:—

In calling you together for the first time since the General Election, I gladly avail myself of the opportunity of expressing to you my anxious desire to co-operate with you in every way calculated to promote the best interests of the Colony, and with the same cordiality which happily characterised my official intercourse with your predecessors. I regret that the necessary measures for the settlement of the Electoral Divisions of the Colony and the preparation of the Electoral Lists according to the extended franchise created by the new Constitution Act have prevented your meeting at an earlier period of the year and one more convenient therefore, especially to those Members of your body whose interests are connected with the agricultural and pastoral pursuits of the Colony. I think under these circumstances I shall best consult your general convenience by confining the measures to be introduced by the Government in the present Session to those of such an urgent nature as will not admit of delay without inconvenience or injury to public interests, and by appointing an earlier period than usual for your meeting in the ensuing year.

2. Her Majesty having been graciously pleased to confer upon me the important appointment of Governor-General of all Her Majesty's Australian Possessions, I deem it proper to lay before you a copy of a Despatch from the Right Honorable the Secretary of State, explaining the objects for which this appointment has been created. It will afford me much gratification in the exercise of the powers which are thus conveyed to me to promote and cement those friendly relations between the several Colonies over which my Commission extends, which are so desirable for their mutual welfare and prosperity.

3. The Writs for the first Election of Members to serve in the Legislative Council of Victoria having been issued on the 1st July last, that portion of the former Territory of New South Wales became a separate Colony, and the authority of the Governor and Council of this Colony therefore finally ceased therein from that date.

4. In the very short period which has elapsed since the termination of the last Session, a most important change has taken place in the resources of the Colony. The discovery of an extensive and productive gold field has opened out fresh prospects of advancement and prosperity which cannot fail eventually to prove highly advantageous in its results. I am happy to say that this discovery has not hitherto been attended with any serious interruption to or disturbance of the ordinary industrial pursuits of the Colony. The order and obedience to the Regulations which the Government has deemed it expedient provisionally to establish for the collection of Revenue and for the decision of disputes in working the gold field are highly creditable to the large body of persons employed, and afford the gratifying presumption that the same orderly and satisfactory conduct will characterize their future proceedings,—a result equally favorable to their own prosperity and the general welfare of the Colony. I have found it necessary, under the peculiar circumstances which have so suddenly arisen out of this extraordinary state of things, to increase the pay of the Constabulary force and of some other persons holding subordinate situations under the Government. I rely upon your giving your Legislative sanction to this increase, which the great rise in the price of provisions and the temptation to leave the public service offered by the successful prosecution of gold digging, rendered absolutely necessary for the public advantage.

5. I regret to say that the wheat crops, both in this Colony and in the neighbouring Settlements, partially failed during the last season; and the price of flour—partly owing to this cause, and partly to the speculation created by the gold discovery—has been considerably higher than usual. I am happy to learn, however, that there is at present a larger breadth of land under wheat culture than at any former period; and, as the season has been very favorable, there is every prospect, under the Divine blessing, of an abundant harvest, while it is to be expected that the recent importation of wheat will prevent a further rise in the price of flour until the growing crops can be gathered in. The other necessaries of life fortunately continue both cheap and abundant.

6. I will immediately lay before you a Despatch from the Right Honorable Earl Grey containing the decision of Her Majesty's Government on the Address of the late Council to Her Most Gracious Majesty, of the 1st of October, 1850, on the subject of transportation, and intimating the intention of advising Her Majesty to take an early opportunity of revoking the existing Order in Council so far as it relates to New South Wales.

7. I have also received from the Right Honorable the Secretary for the Colonies a Despatch in reply to an Address of the late Council of the 9th October, 1849, which requested me to forward to His Lordship the report of the Select Committee on Crown Lands. A copy of this Despatch will be immediately laid before you.

8. I will also lay before you without delay several other Despatches replying to various Addresses from the late Council, together with such further documents of public interest as it will be desirable to communicate to you.

9. The Estimates of Revenue and Expenditure have already been prepared and will be forthwith presented to you. The latter have been framed with an anxious desire to observe every possible economy in the public Expenditure; but in the peculiar circumstances of the Colony at the present time, some considerable additions will be necessary to ensure efficiency in the Public Service. The increase in the Revenue has happily kept pace with the increasing demand upon it. Besides a considerable amount beyond its estimated produce in the present year when the Estimates were laid before the late Council in the Session of 1850, there was a much larger balance unexpended at the close of that year than was anticipated. The particulars embracing the whole of the financial arrangements of the Session will be fully explained to you when the Estimates are laid upon the Table.

10. Amongst the most important measures to be laid before you is a Bill for imposing a new and improved tariff of duties on articles imported into the Colony. This measure has been framed upon the most moderate scale consistent with the raising of a sufficient revenue to provide for the public requirements, and abolishes all distinction whatever in the rates imposed on articles in whatever Country produced or from whatever Country imported. I anticipate the most favorable result from a measure based on a liberal principle of this nature,—no less to the interests of commerce than to those of the community generally. It is calculated by the removal of the present high duties on many articles of foreign produce and manufacture, to open out a market in this Colony for their disposal, and thus to offer inducements for the sale of its numerous and valuable productions in those countries which may use this new field for their commercial enterprise. Whether it may be expedient to proceed with this important measure in the present Session, or whether the Bill should be merely printed, and its farther progress postponed until next year, with a view to endeavour to obtain the enactment in the other Australian Colonies of a similar comprehensive measure, is worthy of your serious and deliberate consideration. It appears to me, that the general interests of all these communities render it desirable that the same principle should be adopted as far as local circumstances will permit in the enactment of a law of this nature.

11. By the Constitution Act 13 and 14 Vict., cap. 59, a considerably increased control is given to the Colonial Legislature over that part of the Expenditure which is included in the Schedules to that Act. In consequence of the inadequacy of the sums thereby appropriated for the administration of justice, and an excess in the amount expended, arising principally from the establishment of Circuit Courts at Moreton Bay and Geelong, and for which some Legislative provision will be necessary, I have availed myself of the assistance and advice of their Honors the Judges of the Supreme Court, and of the Crown Law Officers, to suggest such measures as they might conceive desirable, having a due regard for all the interests concerned, for bringing the Expenditure within the amount provided for the purpose. A copy of the able Report which has been drawn up by His Honor the Chief Justice as the Chairman of the Board, and the accompanying documents, together with a copy of the Minute of my Executive Council containing the decision which has been made on the several recommendations of the Board, will be immediately laid before you. It will be perceived that the reductions prospectively proposed and ordered to be carried into effect fully accomplish the object required. The expenditure for the other departments chargeable on the Schedules is within the amount appropriated for their support. I am desirous nevertheless that the whole subject of the expenditure in question should be brought under your careful and attentive review; and I beg to recommend that it should form the subject of investigation by a Select Committee of the Council, either in the present or the ensuing Session, as may be found most convenient. It will afford me much satisfaction to see the important interests concerned placed upon a satisfactory and permanent basis. I will readily concur with you in any measures for the purpose which may be consistent with a proper regard for the claims of existing office holders, who accepted those offices with expectations which cannot justly be disappointed. It will also be necessary, under the instructions which I have received from Her Majesty's Government, that any reduction of fixed establishments or of any expenditure provided for by permanent laws, should be effected by Acts of the Legislature subject in the usual manner to the assent of the Crown.

12. In accordance with the intention expressed in my Message to the late Council, of the 29th April last, a copy of the Report of the Board on the management of the Post Office Department will be laid before you, together with a copy of the Minutes of my Executive Council containing the decision at which I arrived with their advice on the several points recommended by the Board. The necessary Bill to give effect to these recommendations will be immediately laid before you. In deference to public opinion which has been so generally expressed, it is my intention to introduce in it a provision for exempting in future all newspapers passing through the Post Office from the payment of any charge for Postage. I have received and will lay before you without delay copies of a Despatch from the Secretary of State and correspondence with the Postmaster General of England, intimating the intention of Her Majesty's Government to comply with the request contained in the Address of the late Council for the establishment of a system of optional pre-payment in respect to letters passing between this Colony and the United Kingdom.

13. In consequence of the present unsatisfactory state of the Marriage Laws in the Colony, and the uneasiness which is felt on this important subject, it is my intention to introduce in the present Session a Bill which I trust will have the effect of removing all future cause of complaint in this respect, and of placing the matter on a comprehensive, satisfactory, and permanent basis.

14. Having brought the subject of the Military Defences of Port Jackson under the consideration of Her Majesty's Government, I have received from the Secretary of State a Despatch of which a copy shall be communicated to you, offering certain assistance in the execution of the works by means of Military labour, provided the necessary funds be supplied by the Colony, for the ordinary and working pay of the troops, who would be sent out for this purpose at the expense of the Home Government, and to whom inducement would be held out eventually to settle in the Colony. This proposal appears to me to offer such advantages as to render it desirable that it should be favorably entertained; and I accordingly recommend it to your early and attentive consideration. I shall be glad to be favored with the result of your conclusions on the subject as soon as may be convenient.

15. Any further Measures that I may have occasion to submit to you shall be communicated to you in the usual way by Message.

CH<sup>s</sup>. A. FITZ ROY.

*Legislative Council Chamber,*  
16 October, 1851.

