



1853.

No. 7.

*An Act for granting a Civil List to Her Majesty.*

[Reserved, November 10th, 1853.]

MOST GRACIOUS SOVEREIGN:

*disallowed*

**W**HEREAS the Legislative Council of South Australia, constituted under the Imperial Act passed in the Session holden in the thirteenth and fourteenth years of the Reign of Her Majesty, intituled "An Act for the better Government of Her Majesty's Australian Colonies," are desirous to grant to your Majesty, by way of Civil List, in the lieu of the provision contained in the Schedule to that Act, such amount as shall be sufficient to give stability and security to the Civil Institutions of the Colony, and to provide for the adequate remuneration of able and efficient officers in the Executive, Judicial, and other Departments of your Majesty's Colonial Service: Preamble

We, therefore, your Majesty's most dutiful and loyal subjects, the Members of the said Legislative Council in council assembled, desirous that a certain competent Revenue for the purpose may be settled upon your Majesty (to whom may God grant a long and happy reign), as a testimony of our unfeigned affection to your Sacred Person and Government, have accordingly freely resolved, in lieu of the aforesaid statutable provision for the like purpose, to grant to your Majesty a certain Revenue payable out of the Revenues of this Colony: We do therefore most humbly beseech your Majesty that it may be enacted, and Be it Enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council of the Colony of South Australia, and it is hereby enacted by authority of the same, as follows:

1. All taxes, imposts, rates, and duties, and all casual and other Revenues of the Crown, from whatever source arising within this Province,

All duties and revenues to form Consolidated Revenue Fund.

Province, and over which the present or future Legislature has or may have power of appropriation, excepting the revenues derived from the sale or leasing of the Waste Lands of the Crown, shall form one Consolidated Revenue Fund to be appropriated for the public service of this Province, in the manner and subject to the charges hereinafter mentioned.

Civil List of £18,000 payable to Her Majesty.

2. There shall be payable in every year to Her Majesty, Her Heirs, and Successors, out of the Consolidated Revenue Fund of the said Province, the several sums not exceeding in the whole the sum of Eighteen Thousand Pounds for defraying the expenses of the several services and purposes named in the first and second parts of the Schedule to this Act annexed; the said several sums to be issued by the Colonial Treasurer in discharge of such warrant or warrants as shall be from time to time directed under the hand of the Governor, and the said Treasurer shall account to Her Majesty for the same, through the Lords Commissioners of Her Majesty's Treasury, in such manner and form as Her Majesty shall be graciously pleased to direct.

Accounts in detail to be made before Parliament.

3. Accounts in detail of the expenditure of the several sums expended, under the authority of this Act, shall be laid before both Houses of the Legislature, within thirty days from the beginning of the Session next after such expenditure shall be made.

Civil List to be accompanied by surrender of all Revenues of the Crown.

4. The said several sums mentioned in the first and second parts of the said Schedule, shall be accepted and taken by Her Majesty, Her Heirs and Successors, by way of Civil List instead of all territorial, casual, and other Revenues of the Crown, from whatever source arising within the said Province, and to the disposal of which either absolutely or conditionally, the Crown may be entitled.

Compensation to be paid to the present holders of certain offices.

5. There shall be payable by way of compensation to the several persons who hold the offices mentioned in the third part of the Schedule to this Act, the respective sums set against their names in such third part of the said Schedule; and the said sums shall be paid to such persons by the Colonial Treasurer, out of the Consolidated Revenue Fund, upon this Act coming into operation: Provided, that in case of the death, resignation, or dismissal of any of the persons who now hold the said offices, no sum shall be paid as last-mentioned to the person who may be appointed to fill the said office.

Legislature empowered to make laws regulating sale, and other disposal of Waste Lands.

6. Subject to the provisions contained in any Act to be passed for establishing a Parliament in the said Province, it shall be lawful for the Legislature of the said Province to make laws for regulating the sale, letting, disposal, and occupation of the Waste Lands of the Crown within the said Province, and for the appropriation of all Revenues arising therefrom.

Consolidated Revenue to be appropriated by Act of the Legislature.

7. After and subject to the payments to be made under the provisions hereinbefore contained, all the Consolidated Revenue Fund hereinbefore

hereinbefore constituted, shall be subject to be appropriated to such specific purposes, as by any Act of the Legislature of the said Province shall be prescribed in that behalf.

8. It shall not be lawful for the House of Assembly to originate or pass any vote, resolution, or Bill for the appropriation of any part of the said Consolidated Revenue Fund, or of any other tax or impost to any purpose which shall not have been first recommended by a message of the Governor to the said House of Assembly during the Session in which such vote, resolution, or Bill shall be passed.

No money vote on Bill lawful unless recommended by the Governor.

*W. L. F. J. P.*

9. No part of Her Majesty's Revenue in the said Province, arising from any of the sources aforesaid, shall be issued, or shall be issuable, except in pursuance of warrants under the hand of the Governor of the said Province, directed to the public Treasurer thereof.

No part of Public Revenue to be issued except on warrants from Governor.

10. This Act shall have no force or effect until so much of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the fifth and sixth years of Her Majesty's reign, intituled "An Act for regulating the sale of Waste Land belonging to the Crown in the Australian Colonies," as relates to the said Province, shall have been repealed; and the entire management and control of the Waste Lands belonging to the Crown in the said Province, whether held by the Crown as trustee or otherwise; and also, the appropriation of the gross proceeds of the sales of any such lands, and of all other proceeds and Revenues of the same, from whatever source arising, within the said Province, including all mines and minerals, shall be vested in the Legislature of the said Province: Provided that nothing herein contained shall affect, or be construed to affect, any contract, or to prevent the fulfilment of any engagement, made by or on behalf of Her Majesty, with respect to any lands situate within the said Province, in cases where such contracts, promises, or engagements shall have been lawfully made before the time at which this Act shall take effect within this Province.

Provisions of this Act to have no force until so much of 5 & 6 Vict., cap. 36, as relate to this Colony be repealed:

And the entire management of Crown Lands, and all Revenues and licence arising, be vested in the local Legislature.

This provision not to affect any previous contracts of Her Majesty respecting any such lands.

*How much land? Contracts Legist*

## SCHEDULE A.

## PART I.

	£	s.	d.	£	s.	d.
Salary of Governor .. .. .	4,000	0	0			
Salary of First Judge .. .. .	1,700	0	0			
Salary of Second Judge .. .. .	1,500	0	0			
Salary of Advocate-General .. .. .	1,200	0	0			
Salary of Solicitor-General .. .. .	1,000	0	0			
Salary of Crown Solicitor .. .. .	700	0	0			
				10,100	0	0

## PART II.

Salary of Colonial Secretary .. .. .	1,500	0	0			
Salary of Under Secretary .. .. .	600	0	0			
Salary of Colonial Treasurer .. .. .	1,000	0	0			
Salary of Auditor-General .. .. .	800	0	0			
Salary of Clerk of Executive Council .. .. .	400	0	0			
Salary of Collector of Customs .. .. .	800	0	0			
Salary of Commissioner of Land and Emigration .. .. .	800	0	0			
Salaries and contingent expenses of the Legislative Council .. .. .	2,000	0	0			
				7,900	0	0
				£18,000	0	0

## PART III.

*Bonus by way of compensation to the present incumbents of offices liable to removal on the commencement of this Act.*

<i>3rd Jan 1852</i> Colonial Secretary, four years' present salary .. .. .	£	s.	d.
<i>3rd July 1853</i> Advocate-General ditto .. .. .	3,400	0	0
<i>3rd July 1852</i> Colonial Treasurer ditto .. .. .	3,000	0	0
Collector of Customs ditto .. .. .	2,600	0	0
Commissioner of Crown Lands ditto .. .. .	2,000	0	0
	1,400	0	0
	£	12,400	0 0

*This act was passed  
10th Nov 1853  
but still good*